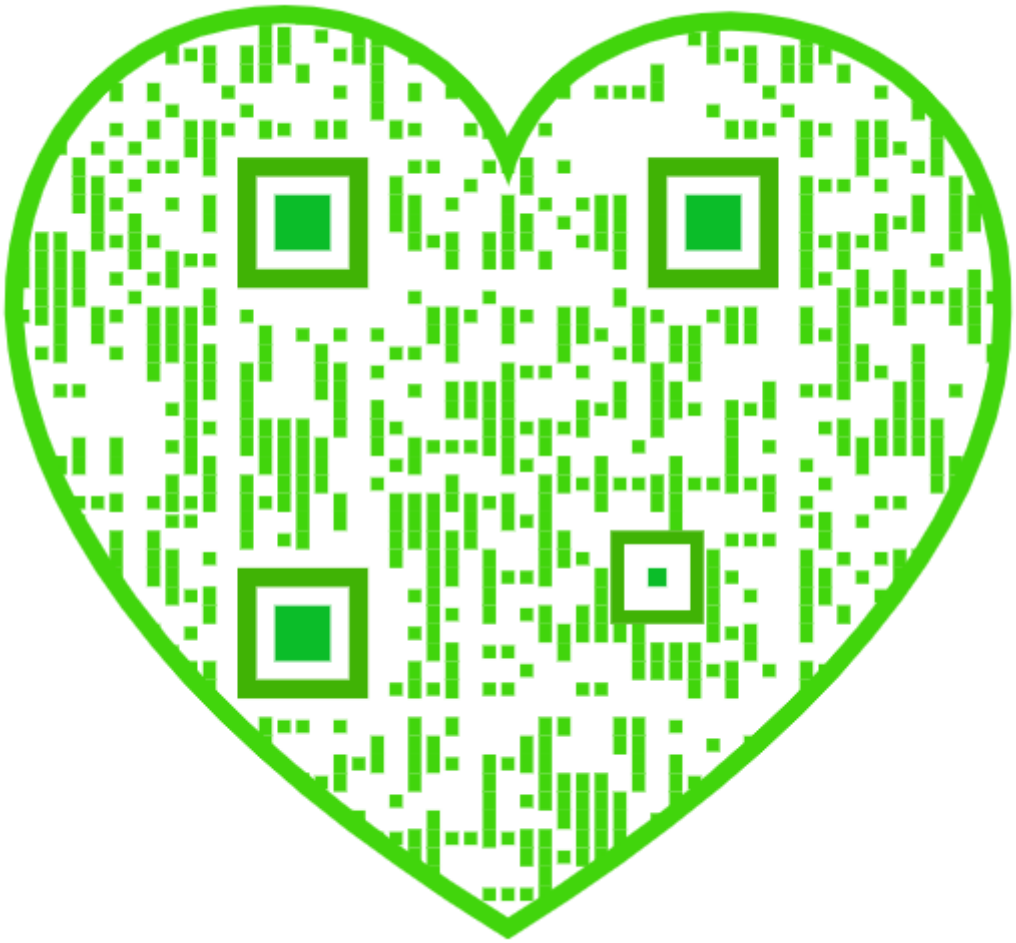

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A

DESCRIPTIVE HISTORY

OF

THE TOWN OF EVESHAM,

FROM THE

FOUNDATION OF ITS SAXON MONASTERY:

WITH NOTICES RESPECTING THE

ANCIENT DEANERY OF ITS VALE.

BY GEORGE MAY.

BASED UPON A FORMER PUBLICATION BY THE AUTHOR,
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PREFATORY ADDRESS.

AT length my promised volume is concluded; wherein I have striven to present in a useful and attractive form the history of a locality which has now during seventeen years contained my home. Nor have I here omitted opportunities to preserve by the pencil and the graving-tool a faithful resemblance of interesting objects, the originals of which are—in some instances —already marred or modified since the drawings were made.

Should the result of all my labor prove *satisfactory* to those for whom I write—and should additional copies of the book, for this cause, quit my shelves, to enter the libraries of topographers, or to be hailed elsewhere as memorative of a well-known spot by those who have spent some portion of their time within its bounds,—my fullest expectations will be then achieved.

G. M.

EVESHAM,
SEPTEMBER, 1845.

"Standing upon a hill, a gentle hill,
Green and of mild declivity; the last,
As 'twere the cape of a long ridge of such,—
Save that there was no sea to lave its base,
But a most living landscape: and the wave—
Of woods and cornfields, and the abodes of men
Scattered at intervals———"

BYRON.

THE

HISTORY OF EVESHAM.

INTRODUCTORY OBSERVATIONS.

Extract from the Preface to the Edition of 1834.

"THE reasons that induced the Writer to commence the present History, have already appeared before the public, in the first prospectus of his intended Work, issued during the autumn of the preceding year; in which, among other particulars, it was remarked, that not even a "Guide" connected with this locality has appeared during the space of fourteen years. For an attempt to supply this consequent deficiency, it is possible that the author—a stranger to this borough seven years ago—may appear in some degree liable to the charge of presumption. But, as far as certain portions of such a work must necessarily connect themselves with conventual and architectural subjects, that charge may, perhaps, in some degree be set aside; since he has from an early period delighted to roam amid the erections of our forefathers, and to indulge in the historical and archæological associations that connect themselves therewith. And, in the present "History," as regards a later era, as well as still more recent events—wherever his own researches have failed, and he has consequently required from others that information which protracted residence on their part has qualified

them to impart—he has thankfully to acknowledge the readiness and urbanity with which such information has almost uniformly been conveyed."

Of the Edition to which the foregoing observations were prefixed, upwards of six hundred copies have now been sold. The author, sensible of the favor with which his exertions have been thus received, is now desirous to submit a more finished work to the perusal of his readers,—the former volume having laboured under the disadvantage of being written, printed, and published, within little more than twelve months;—while he has at the same time desired to employ much additional information collected since. In effecting this to his own satisfaction, in some degree, he has found it desirable to re-write the greater portion of the volume; and thus it may probably derive some advantage from the consideration of maturer years.

In acknowledging the aid which has been most obligingly given him while preparing the former as well as present edition of the work, he has much pleasure in tendering his thanks to Sir Thomas Phillipps, Bart., to whose ample library he has had frequent access; to the Rev. Dr. Bandinel, keeper of the Bodleian Library, for extracts liberally furnished from manuscripts under his charge; to John Britton, esq., for frequent and friendly communication; to Edward Rudge, esq., for access to many interesting relics discovered during that gentleman's recent excavations upon the abbey site; to J. M. G. Cheek, esq., for introduction to a multitude of original documents and the use of his valuable topographical library; to Dr. Beale Cooper for statistical statements and the obliging loan of valuable books; to William Byrch, esq., for free access to his ample law library; to the Rev. H. B. Whiting, for assistance in the perusal of intricate portions of the conventual manuscripts; to the Rev. C. H. Cox, for personal assistance in procuring extracts from Oxford; to Benjamin Workman, esq., for abstracts from documents relating particularly to Bengeworth; and to Mr. John Gibbs, of Offenham, for his friendly information and assistance while inspecting different portions of the Vale.

Respecting the graphic Illustrations inserted through the volume, the writer considers himself fortunate in having secured the aid of a

Draughtsman in the neighbourhood,—Mr. Colson of Pershore—the happy execution of whose pencil is sustained by its uniform truthfulness: while the manner in which his sketches are perpetuated by the graver is as spirited as the names—in particular—of Mr. S. Williams, and Mr. Sly, would lead us to expect.

In conclusion, he heartily expresses his thanks to those of his townsmen, and others, who, prior to the appearance of the Work, encouraged him by engaging copies. It is with pleasure that he appends to this volume, the names of those Individuals, who by this expression of their confidence have augmented his exertions by the cheering pre-assurance of their approval.

3, Bridge-Street, Evesham,

April, 1844.

CHAPTER I.

SITUATION OF EVESHAM, AND ORIGIN OF ITS NAME.

EVESHAM is seated in the bosom of the vale that sweeps from the bases of the Cotteswold Hills on the east and south, and is guarded at the west by Bredon Hill. Geologically considered, it stands upon a lias plain at the foot of an oölitic range; and thus its vicinage—as students of the science prove—must once have been a vast abyss sunk in primeval ocean, the muddy floor of which is now blue clay, retaining in its bed the fossilized remains of animals, insects, and vegetables, that lived and flourished in the earliest ages of our world.

The town, of which we are to write, is situated upon a peninsula formed by the Avon, at the south-eastern part of Worcestershire, bordering upon the counties of Warwick and Gloucester. It is within the hundred of Blakenhurste; a name, which from its Saxon compounds, may be considered equivalent to *Black Forest*. The hundred was originally called that of Fisseberge, being so recorded in Domesday book. Bp. Thomas supposes the latter name to have originated in the legend connected with the founder of the monastery, which asserts that a key thrown by him into the Avon, here, was found in the stomach of a fish, at Rome. When the name was altered does not appear: but Henry I. gave to the abbey a charter conferring jurisdiction over the hundred of Blakenhurste; the seal

of which having been broken, a grant was made in the 25th of Henry III. importing that the seal should be as effectual though cracked, as if it were remaining whole.[1]

The town stands upon the Worcester and London turnpike road—till 1842 the mail coach line,—is on the high road from Leicester to Bristol, and in the direct route from Cheltenham to Leamington. It is distant from London 92¾ miles, from Worcester 15, from Cheltenham the same, from Tewkesbury 13, from Alcester 10, from Stratford-on-Avon 14, from Warwick and Leamington 23, and from Birmingham 30 miles. The Gloucester and Birmingham Railway approaches the town within 9 miles, at the Defford station. The Imperial line of Railway, by Evesham, projected in 1839 to connect the cities of Dublin and London, unfortunately failed to obtain the preference of the government commissioners in their report of the following spring, chiefly on account of the estimated expense; though confessedly the only route by which letters could be answered in both capitals by the return of the same day's post. But while we are engaged in printing this sheet, the Great Western Company, having connected Oxford with London by their line, are applying for powers to cross to the Grand Junction Railway at Wolverhampton, by a new line, upon the broad-guaged rail, through Banbury, Evesham, Worcester, Kidderminster, and Stourbridge. This, if effected, will readily diffuse the crops raised round our town through a widely extended district.

Evesham can aspire to no earlier an origin than the eighth century, at the beginning of which its subsequently splendid monastery was founded. Prior to that event its site was occupied by an extended forest, in which the swineherds of the Anglo-saxon occupiers tended on their charge. Dr. Stukeley claimed for Evesham a Roman origin; considering it as the lost station *Ad Antonam*, which is known to have been hereabout. Our own reason for dissenting from this opinion is given in a subsequent chapter upon "Military Stations and Roads." William of Malmesbury, writing in the twelfth century, while recording the legendary loneliness of the spot during the Saxon heptarchy, observes that a small church had previously been erected here, the origin of which he attributes to

[1] Dugdale's Warwickshire, by Thomas, p. 921.

the Christian—and therefore Romanized—Britons. In connection with this remark, we may be permitted to observe that the situation of the site, midway—as we shall afterward endeavour to prove—between the stations of *Alnacestre* and *Ad Antonam*, may not improbably have rendered it a halting-place in marching or travelling from one to the other. But this is merely a suggestion, which we do not undertake to establish. For though coins of the emperors have frequently been found within the modern borough and its immediate neighbourhood,—as where have they not?—we are indisposed by the employment of such material to weave an elaborated theory.

Before the foundation of the monastery, the name of the place—as stated in the abbey registers—was *Ethomme*, and also *Homme*. The latter is peculiarly appropriate to its peninsular form; being a word still used in the Scottish dialect—which is singularly exact in connection with natural objects—to indicate the low or level ground on the banks of a stream or river. After the erection of the monastery the spot was called *Eoves' Holme* from a swineherd named Eoves, who had been employed on it, and whose verbal representations to the diocesan had resulted in the foundation of the convent. From *Eoves-holme* the name would readily be contracted to *Evesham* as still employed.

The assumed sanctity of the spot, and the importance of its monastery soon identified its name with the whole country round. For the fruitful valley in which it is seated is styled 'the Vale of Evesham,' both far and near. The circuit of this extended district is defined by an observant resident as reaching from the Cotteswold Hills to the Malvern range;[2] and from the former eminence, immediately above the village of Mickleton, a rich and comprehensive

---

[2] The writer to whom we have alluded, incumbent of Mickleton at the time, thus describes the scene.—"There was an extensive prospect of the rich vale of Evesham, bounded at a distance by the Malvern hills. The towers and spires, which rose among the tufted trees, were strongly illuminated by the sloping rays of the sun; and the whole scene was enlivened by the music of the birds, the responsive notes of the thrushes from the neighbouring hawthorns, and the thrilling strains of the skylark, who, as she soared towards the heavens, seemed to be chanting forth her matins to the great Creator of the universe."—Rev. Richard Graves. *Spiritual Quixote*, book ii. chap. 5.

view of the entire level is obtained. A more varied, and thus far superior, prospect of the whole is gained from the top of Broadway Hill, from whence the expanse presents itself as overspread by culture and fertility. A more cheering spectacle can perhaps hardly be stumbled on than that which suddenly bursts from hence on a bright morning in the summer tide, upon the wearied traveller, as he journeys hitherward from London. Then the very tameness of the preceding Oxford flat will by its dull contrast augment the soft luxuriance of this undulating vale. And should he have passed the night upon a coach-roof, and that a slow coach too—he will indeed admit, as he looks across this bright descent at sun-rise, as we once gazed upon it in a high-summer morn—that nothing surely can surpass it as a teeming specimen of home fertility.

But the present appearance of the district is very different from that which it presented some fifty years ago. Then the land lay in cultivated open and common fields, bounded only by the several parishes. Within these the property of various individuals was diffused, without any other distinction than the number of their "yard-lands:" for neither hedge-row nor trees intervened. But during the present century these spacious tracks of cultivated ground have, under local Acts of Parliament, been severally enclosed, thus furnishing suitable divisions for the advancing operations of modern agriculture.

The Vale being situated upon the lias strata, there are, especially in the neighbourhood of the town, springs of saline and mineral character analagous to those of Cheltenham, which is also seated on the lias, being in fact a continuation of the strata here. In the parish of Hampton, adjoining Evesham at the south-west, springs of this character, abandoned as unfit for ordinary purposes, have been immemorially known; and from the Register of Domesday we learn that there was here, in the reign of William the Norman, "a salt work, yielding three oræ" at that time.[3] The prosperity of Cheltenham having been caused entirely by its mineral springs, this circumstance directed local attention to those of Hampton, in the autumn of 1821; and at a public meeting held in the town, a com-

[3] "Salina redd. iii. oras."—*Survey of Lands of Urso D'Abitot, in Hampton;* noticed in the Survey as formerly held by the Abbot of Evesham.

mittee was appointed, under whose direction fresh wells were sunk, and a new and very copious saline spring was found. This, upon analysis by Mr. Hume, in November of the same year, yielded from a pint wine measure,—

Carbonic Acid Gas	2.06 cubic inch.
Carbonate of Magnesia	0.15 gr.
Sulphate of Magnesia	4. „
Muriate of Magnesia [Chloride of Magnesium]	0.81 „
Oxide of Iron	*a trace*
Vegetable or Carbonaceous Matter	0.09 gr.
Sulphate of Soda	23.06 „
Sulphate of Lime	3.93 „
Muriate of Soda [Chloride of Sodium]	28. „
Total of Saline Contents	60.04

Hence, though from the extreme wetness of that season the water must have been in some degree deteriorated, it will be seen by comparing this analysis with that of the pure saline spring at Cheltenham, made by Messrs. Parkes and Brande, that the Hampton water contains less of common salt and more of medicinal, than the Cheltenham spring; and, referring to this water, Dr. Hastings, in his Illustrations of the Natural History of the county, thus remarks: "We only require some accidental circumstance to tempt fashionable visitors to resort to the neighbourhood of Evesham, in order that the springs of this spot may vie with those of the two former celebrated watering places, [Cheltenham and Leamington] in their far-famed restorative virtues."[4]

In 1832, upon sinking a well on the Bengeworth side of the town, in a meadow belonging to T. C. Porter, of Birlingham, esq. a copious saline spring was discovered. This on being subjected to analysis by Mr. Hodgson, of Apothecaries' Hall, in June 1834, contained in one imperial pint—

Carbonate of Lime	3 grs.
Sulphate of Soda	14.6 „
Chloride of Sodium	45 „
	62.6
Specific Gravity, compared with distilled water	1,00505.

[4] Natural History of Worcestershire, p. 117.

From hence it will appear that the properties of this water most closely resemble those of the Cheltenham saline spring; principally on account of the chloride of sodium, or common salt, which it contains. In this particular the Bengeworth well differs from the neighbouring spring at Hampton, where only about half the quantity of this ingredient is found: so that either or both of the Evesham waters may be beneficially employed, at the option of the visitor; each being situated at an easy distance, and readily attained.

The peculiar position of the town, seated amidst so fertile and beautiful a district, presents a variety of charming walks and drives. As regards the former, the inmates are unusually privileged, in the readiness with which they may *immediately* step into the open country. From the very centre of the town, where most compacted, the indweller may instantly walk forth upon the verdant bank above the river, which forms the abbey site; from hence he may pass along the adjacent meadows, once the abbey park; and if he cross the ferry, he stands on the shelving elevation of the Vineyard Hill; where, from the Norman Conquest down to the overthrow of monasteries, the vine was cultivated in the open ground. The platform here has long been a favorite resort of the townspeople; not only from its nearness to their dwellings, but on account of the view that it commands, looking into the bosom of the Vale—

"Where little purling winds like wantons seem to dally—"

tracking the winding course of the river, and glancing onward to the Cotteswold range in front and the rich isolated eminence of Bredon in the rear. Well may we from hence exclaim with Chamberlayne—

"Here nature in her unaffected dress
Plaited with valleys, and emboss'd with hills,
Enchas'd with silver streams, and fring'd with woods,
Sits lovely in her native russet clad." [5]

The approach to Evesham from the Northern road, still more effectively displays the character of its locality. Here, at the termination of a descending vista, its tower and spires first fall upon the eye; and then the town, emerging from a belt of garden-ground

[5] Love's Victory, by William Chamberlayne, A. D. 1658.

and backed by hills, appears in sight; the Avon sparkles in the middle distance, relieved by the bold outline, to the right, of Bredon hill; and still further west, the undulating heights of Malvern close the well-grouped scene. We gaze upon the picture, and cannot but applaud the taste of him who fixed on such a spot, therein to found a temple, where—no meaner was his intent—the praise of the Eternal should resound till time for ever ceased.

CHAPTER II.

FOUNDATION OF THE MONASTERY—ITS EARLIER HISTORY—POSSESSIONS—PRIVILEGES—CELLS.

AFTER the pagan Saxons had nearly obliterated the religion of the gospel in this kingdom, by the slaughter and dispersion of the christian Britons—and when, after three hundred years of national idolatry, the mission of Augustine from the see of Rome had substituted a modified species of christianity,—even then the inherent excellence of christian doctrine began, during the reign of Wulphere, son of the tyrant Penda—his successor in the important division of Mercia[6]—to reclaim from the brutalizing influence of idolatry the Saxon chiefs. So entirely was Ethelred his brother and successor imbued after his conversion with the ascetic notions of his partially enlightened guides, that as if believing monachism to be the prelude of a millennial state, he in the year 701 conferred on Ecgwin third bishop of the Huiccians the whole peninsula, holme, or plain, skirted by the Avon, on which the town of Evesham at present stands, to found a monastery thereon. This, as may be seen beneath, is expressly stated in one of the existing manuscripts of the abbey.[7]

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[6] This powerful and extensive kingdom of the Saxon Heptarchy—or rather *Octarchy*—comprehended, beside a part of Hertfordshire, no fewer than sixteen of our present counties, viz. Huntingdon, Rutland, Lincoln, Northampton, Leicester, Derby, Nottingham, Oxford, Chester, Salop, Gloucester, Worcester, Stafford, Warwick, Buckingham and Bedford. Leicester, the *Ratæ* of the Romans, was its capital.

[7] "Rex Ethelredus, filius Pendæ regis Merciorum, primus et præcipuus fundator noster, dedit beato Ecgwino locum illum, qui tunc Ethomme, nunc Eveshamia vocatur, ubi monasterium construxit anno domini DCCI."—*Ex Registro quodam Abbathiæ de Evesham*, in Dugdale's Monasticon, ii. p. 14.

Having thus referred to the authority from whence our information respecting the gift from Ethelred is derived, it may be well here to acquaint the general reader with the nature of those documents to which reference will hereafter be often made, as being the only source from whence many particulars can be derived. The inmates of our monasteries, among other exercises, were accustomed to copy documents and to chronicle events which they considered memorable. In most instances these related to their own convent, and were added from time to time to the monastic archives. They are usually engrossed with extreme neatness, but with numberless contractions, in corrupted Latin, upon vellum, having initial letters and other portions elaborately decorated in brilliantly colored inks, with which those of our own day bear no comparison. At the dissolution, these manuscripts were in most instances sold as lumber, or destroyed; some few however were rescued by contemporaries, and have been thus preserved. Among such relating to this abbey, thus fortunately available, the British Museum contains the chief. These are, first a cartulary or manuscript volume, in the Harleian collection, numbered 3763, chiefly filled with copies of charters granted to the abbey at various times. From an entry on one of the leaves dated 1721-22, we find that this volume was in 1628 in the possession of Richard Fleetwood of Penwortham, esq. to whose family the abbey property there was granted in the 34th of Henry VIII. A second cartulary is included among the Cotton manuscripts, and numbered as Vespasian B xxiv. A third volume in the same collection—Titus C ix.—is chiefly occupied as a Register of Richard Bremesgrave's abbacy. A fourth, numbered in the same division as Vitellius E xvii. is almost destroyed by fire, but has been copied by Stevens, the continuator of Dugdale's Monasticon. Four original charters belonging to the monastery are also preserved in the Museum. The foregoing documents, with occasional notices among other manuscripts, furnish the principal material from whence our history of this important abbey is deduced.

The cause of Ethelred's munificence is attributed by the conventual annalists to a supernatural appearance manifested here to a swineherd of the bishop's named Eoves, while tending his charge with three other herdsmen upon a portion of the woodland appropriated to the sustenance of the Worcester monks. Not that all

were privileged to witness it. But Eoves alone going deeply into the wood beheld a virgin attended by two others, "her splendour darkened that of the sun, and her beauty exceeded all worldly features."[8] This the affrighted herdsman hastened to detail to the bishop. He, after fasting and prayer took with him, we are told, three companions and walked barefoot in their company, devoutly singing psalms till they approached the place. Then quitting his followers, the bishop advanced into the wood, and in the place which the hind had mentioned, fell prostrate in prayer. On rising he beheld the females whom Eoves had seen. She in the midst surpassed her companions in height and splendour, and was attired in raiment "infinitely exceeding lilies in whiteness and roses in odour." In one hand she held a book, and in the other a cross of gold radiant with celestial light, which stretching forth toward the bishop she conferred upon him the benediction. This he at once regarded as a heavenly intimation that a church should be erected on the spot to the honor of the Virgin Mary.

The bishop having duly recounted these circumstances to king Ethelred, secured the holme by royal grant: as we learn from the charter of endowment, attributed to Ecgwin, dated in the year 714, that he had at that time completed the erection of this monastery, "to the honor of Almighty God and of the holy Mary, and of all the elect in Christ, and for the furtherance of his own salvation, in order that the brethren, serving God according to the rule of St. Benedict, might there, without disturbance, pass their lives."[9] That this charter was, however, executed at the early period assigned to it, may reasonably be doubted from the last mentioned clause. The rule of St. Benedict being generally considered as unrecognized in England till introduced by Odo, the Anglo-saxon primate, early in the tenth century, and urged forward by Dunstan "the man who set England in flames." But that the document is, nevertheless, an early production, we have every reason to believe. Such monastic fabrications having been frequent, immediately prior to the survey

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[8] Church History of Brittany by Paulin de Cressy, folio, Rouen 1668, p. 528.

[9] Carta Ecguuini Wigorniensis Episcopi; in *Dugdale's Monasticon*, ed. 1817, ii. page 16.

of Domesday, in order to render titles valid in appearance, when the Norman commissioners should appear.[10]

The erection of the monastery commenced, according to bishop Tanner, in the same year that the site was given to Ecgwin by Ethelred; the same monarch also endowing the institution with a castle at Chadbury [11] and a convent at Fladbury to be held during Ecgwin's life, which, as we learn from his charter, he deemed advisable to exchange for a religious house at Stratford. William of Malmesbury, in recording the foundation, while he confirms the description given in the cartulary of the previous loneliness of the spot, tells us, apparently to enhance the sanctity of the site, that a small church had from an early period existed here, and that it was probably built by the Britons.[12] Ethelred having subsequently resigned his crown to become abbot of Bardney, and he being succeeded on the throne of Mercia by his nephew Cenred, we now find the latter prince leagued with "Offa king of the east Saxons" [13] in a further endowment of Ecgwin's foundation, by charter, in 709, whereby were given to the infant institution sixty-five manses, or farms, on both sides of the Avon. Three of these are described as being in Homme [Evesham], one in Lenchwic, seven in Norton, one in Offeham, thirteen in Litleton, one in Aldintone, five and a half in Baddeseie, twelve in Bretforton, two and a half in Huniburn, seven in Willerseie, three in Wicwon [Wickham], and nine in Benigwrthie [Bengeworth] and Hamton. Seven cassates of land at Morton, given by Cenred to Ecgwin in 703 "toward building the monastery then to be erected" were likewise by the same instrument confirmed.

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[10] Compare Ellis's Introduction to Domesday Survey, p. xiii.

[11] Harleian MS. 3763, copied in Dugdale, ii. 14, and in Tindal's Evesham, p. 46.

[12] "Locum illum quo nunc cœnobium visitur, peculiariter amasse, incultum antea et spinetis horridum, sed ecclesiolam ab antiquo habentem, ex opere forsitàn Brittanorum." In English, thus—The place wherein the monastery is now seen, he [Ecgwin] is said to have particularly loved; it was a spot previously untilled and overgrown with brambles, but where a little church had stood from ancient time, perhaps erected by the Britons.—*W. Malmesbury*, fol. 162.

[13] "Ego Offa divina permissione Orientalium Anglorum gubernator."—MS. Cott. Vesp. B xxiv.

This charter of Cenred and Offa, copied in Tindal and Dugdale from the Cotton Manuscript Vespasian B 24,[14] professes to have been executed at Rome, and to be confirmed by the crucial sign of the pontiff. But as the whole of the conveyance is situate in the kingdom of Mercia, we may very naturally inquire why the king of Essex is called upon to assist in the donation of the king of Mercia's land, especially as nothing is bestowed by it in his own kingdom. Ecgwin, thus enriched by regal donatives, obtained likewise from pope Constantine a letter to Brightwold archbishop of Canterbury, commanding that prelate to summon to the spot where the Virgin had been manifested, the bishops and other religious persons from all parts of England, together with the sovereigns and their nobles, to declare before them that Ecgwin had authority from the apostolic see for founding there a monastery of Benedictines. The date of this letter, as given by Dr. Nash, is 709, which period he therefore considers as the date of the foundation.

In addition to the above acquisitions Ecgwin the founder informs us, in the charter imputed to him, already noticed, that he begged no less than twenty manses in Twyford from Osward, Ethelred's brother, and that he acquired sixteen beside from private individuals. Thus, as he afterward complacently expresses it, "by the blessing of God, I had in a short time collected one hundred and twenty manses for the aforesaid church of Christ." In 714 the church was dedicated to the honor of the Virgin Mary, by Wilfred bishop of Worcester; and Ecgwin, having previously resigned his bishopric to Wilfred, at Rome, became the abbot of his newly founded monastery. Its flourishing condition may perhaps be estimated from its furnishing within two years afterward the first abbot to Croyland monastery, in the person of Kenulph, one of the monks here; whom Ethelbald king of Mercia appointed to that dignity by his charter of foundation, dated in 716.[15]

During a period of two hundred years, commencing with the death of Ecgwin, the abbey chronicles furnish no other particulars in the conventual history than the early loss of a yearly rent in

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[14] See Tindal's Evesham p. 150, and note on p. 5; also Dugdale's Monasticon, ii. 15.

[15] Stevens' Additions to the Monasticon, vol. 1, p. 470.

salt, and recently-cleared forest ground in Blakeshare.[16] Similar authority presents us with the names of eighteen abbots, successors to the founder. But of their character and actions we learn no more than may be gathered from the following sentence with which one of the chronicles concludes the list, and with which, in substance, the rest agree. "All the possessions acquired by the blessed Ecgwin they faithfully retained during many years, even as he left them."[17]

From this period the record, though somewhat amplified, is yet sufficiently scanty, as though gleaned from the fragments of tradition instead of being preserved by any contemporary accounts. A circumstance easily to be accounted for, by the then lamentable state of England under the devastating inroad of the Danes, the general ignorance that prevailed throughout Europe during the tenth century, the devastation of our monasteries, and the dispersion of their inmates. Of that which is further recorded prior to the Norman conquest, the greater part alludes to the party-struggle for ascendancy between the secular clergy, who had been accustomed to marry and to blend themselves with their people, and the partizans of St. Benedict, who urged onward by the pope, required that they should universally immure themselves in monasteries and abjure matrimony. These accounts are occasionally variegated by the introduction of some semi-barbarian thane, who either with or without royal assent, watches opportunity and appropriates the establishment with its possessions to his immediate use.

Upon the death of Edwin—the last of the abbots who are said to have preserved the acquisitions of the founder entire—this monastery shared in the universal destruction of religious establishments effected by the heathen Danes, prior to the reign of the illustrious Alfred. But this destruction, however unpalatable to the inmates, tended among 'the sweet uses of adversity,' to improve their character and increase their usefulness. Many of them, as

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[16] "cccIx^tas mictas salis, et assartam de Blakeshare."—*Extracta Particula de Gestis Abbatum*, in Harleian MS. 3763.

[17] "Chronica Abbathiæ Eveshamensis," Harl. MS. 229, fol. 17: also "Analecta ex Registro de Evesham," Cottonian MS. Vespasian B XV. and "Extracta Particula de Gestis Abbatum," in Harl. MS. 3763.

Dr. Henry observes, after the overthrow of their convents retired into neighbouring villages, and there performed the duties of their function among the people: and thus the monastic subversion occasioned the erection of many parish churches, of which there had been very few in England before this time.[18] After the devastation, two powerful chieftains, Athelm and Ulric by name, instigated by a bishop named Osulf, are said to have obtained a grant of the monastery from Edmund son of Edward the Elder, to have driven away the monks A.D. 941, and to have placed secular canons in their room.[19] This occupation by the secular priesthood was, however, brief; they being shortly ousted by that champion of priestly celibacy and Benedictine discipline, the renowned St. Dunstan, at this time archbishop of Canterbury, but previously bishop of the sees of Worcester and of London in conjunction. This Becket of the anglo-saxon church having at his command a more docile monarch than Henry Plantagenet, prevailed on King Edgar, in 960, to substitute at Evesham regular or celibate clergy, according to the institutes of St. Benedict, which it was Dunstan's constant aim to render paramount through the kingdom. St. Athelwold bishop of Winchester, the zealous coadjutor of the archbishop, was the emissary dispatched hither for this purpose, by the archbishop and the king.[20]

Upon the death of Edgar, surnamed the Peaceable, and during the vigorous resistance made against the severe discipline of Dunstan, in Edward the Martyr's reign, the monks were again ejected and the married clergy restored, by means of a chief named Alfer, in 977. But he being wrought upon during sickness by the repre-

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[18] Henry's History of Great Britain, book ii. chap. 2, sect. 4.

[19] "In 941 Kinewold or Coenwald bishop of Worcester placed seculars at Evesham which had been destroyed by the Danes, for as yet the monks had not recovered their rights, or were so much esteemed as the seculars."—*Alford Annales, in Thomas's Account of Bps. of Worcester, p.* 36.

[20] "Quoadusque Sanctus Athelwoldus, jussu regis Edgari et Beati Dunstani, huc adveniens Oswardum abbatem hic constituit, anno gratiæ MCCCCLX."—*De Gestis Abbatum de Evesham*, Harl. MS. 3763. The monastic chronicle seems here to err somewhat in its chronology. In Sir H. Nicolas's elaborate and authenticated table—Edgar, "consecrated as king with great pomp at Bath, 11th of May, 973, died July 18th, 975."—*Chronology of History, second edition*, p. 356.

sentations of a monk who had gained access to him, transferred the monastery with its lands to one Freodegar, himself a monk; who retained possession but a short time, being unable to expel the secular priests whom Alfer had previously reinstated.[21]

In the succeeding reign, that of Ethelred called the Unready, we learn that a chief named Godwin purchased the abbey from the king, for three hundred mancuses of gold, subjected the inmates to himself, and appropriated its possessions at his pleasure. The celebrated Godwin, earl of Kent, conspicuous in the reign of Canute, and father of Harold our last Saxon king, may possibly be the chieftain indicated.[22] The date of this transaction does not appear in the Harleian or Cottonian chronicles. But in another, which Leland gives, and which often varies in its dates from these, the year 989 is given.[23] The date is, in this instance probably correct; that being the year subsequent to Dunstan's death. For it cannot be presumed that a bargain so sacrilegious, if not simoniacal, as this would have been called, could have been made during that archbishop's life. He, again restored to power, had resumed over his imbecile and "unready" sovereign the exercise of implicit sway; and, miracle-monger as his followers have represented him, would rather have perished, we may conceive, in one of his own recorded contrivances, than have suffered a religious institution which himself had fostered, to fall into unconsecrated hands.

The Harleian and Cottonian chronicles proceed to state, though without assigning further cause, that Ethelred made a second grant of this monastery to a bishop named Agels, who having incurred the royal displeasure, fled the kingdom. Upon this it was conferred upon another bishop named Athelstan, who dying, it was bestowed upon the nineteenth bishop of Worcester, Adulf, whom we find to have been previously a monk of Pershore. This prelate,

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[21] "Pauco tempore hic obtinuit commorari, quia clericos fortiores se inveniens nullo modo voluit hinc expellere."—*De Gestis Abbatum.* Harl, MS. 3763.

[22] In the list of Abbots, Harl. MS. 229, fol. 17, he is styled "cuidam potenti, Godwino nomine": in that in the Cotton MS. Vespasian B XV. "quidam potens homo Godwinus."

[23] Chronicle by a monk of Evesham or Pershore, copied in Leland.—*Collectanea, tom.* i. p. 241.

in the language of the foregoing chronicles, "first defrauded this convent of its liberty, by subjecting it to the jurisdiction of his see." A procedure which the Evesham monks could never forgive: they like all other members of the larger abbeys, being at a later period often engaged in defending their assumed exemption from any visitation except that of their own abbots. The bishop in this instance appointed over them Ælfric as their abbot, but in strict subordination to himself. Peter Langtoft in his metrical chronicle—that uncouth specimen of our early tongue—states that the last illness of Ethelred commenced at Evesham, and that he lodged in this abbey at the time.

> "Now is Eilred our kyng fallen in sekeness,
> He lies at Euesham, his abbay it es:
> * * * *
> Eilred at London ended his life,
> Auht and thritty [eight and thirty] wynter he regned with strife."[24]

During the reign of Canute, the local struggle between seculars and regulars subsided in the final predominance of the latter under Ælfward, a monk preferred from Ramsey to this abbacy, in 1014. From this period, the Benedictines becoming its settled inmates, we meet with nothing of great importance till we arrive at Domesday survey: in which important register the possessions of this monastery, at the time of the conquest, are stated as follow.

In Gloucestershire, the abbey held eight hides at Malgasberia [Malgersbury], seven in Tedestrop [Addlestrop], ten in Bortune [Bourton-on-the-Water], ten in Braddewell [Bradwell], four burgages in Gloucester and one in Winchcomb, three hides of land in Svvelle [Swell], eight in Willersei [Willersey], three in Westune [Weston Subedge], two in Stoch [Stock and Bradley], three in Hedecote [Hidcote], and fifty-six in the ferding or quarter of Winchcomb. Forty-four of these hides in Gloucestershire—the sixty-six at Bradwell and Winchcomb not being estimated—were in the time of Edward the Confessor valued at thirty-seven libræ, but in the reign of William the Norman they produced fifty-one libræ.

In Worcestershire, the abbey held three hides at Evesham, one in Lenchwic, seven in Nortune [Norton], twelve acres in Oleberge

[24] Langtoft's Chronicle, by Hearne, vol. i. pp. 46, 47.

[Oldborough], with a leuude[25] of wood, one hide in Offenham, six at Liteltune [Littleton], six at Bratfortune [Bretforton] whence stone was then being drawn by oxen to the abbey church, one hide at Aldintone, three at Wigvene [Wickham], six hides again at Bratfortune, six hides and a half at Badesei, seven at Liteltune, two hides and a half in Huniburne, fifteen at Ambreslege [Ombersley], five at Hantun [Hampton] including a new vineyard, four at Beningeorde, [Bengeworth], five in Mortune [Abbots' Moreton], four and a half at Achelenz [Atch Lench], one at Bvinton [Bevington], four at Circelenz [Church Lench] with twenty-eight manses in Worcester. These lands in Worcestershire—making a total of eighty-eight hides and a half, and twelve acres—which had produced in the time of the Confessor seventy libræ and fifteen solidi, produced in the Conqueror's time only sixty-eight libræ and ten solidi.

In Northamptonshire, this abbey held four hides at Liceberge. These were valued at forty solidi in the Confessor's and also in the Conqueror's time.

In Warwickshire, the abbey held five hides at Witelavesford [Wicksford], three at Sandburne [Sambourne], two at Salford, three at Chenevertone [Chivington], and three at Wilelei. Thirteen of these hides (those at Wilelei not being estimated) produced seven libræ in the time of the Confessor, and eight in the time of the Conqueror.

The gross amount of land possessed by this monastery at the time of the Norman conquest, thus amounts to 218½ hides and 12 acres: which at the moderate estimate of eighty acres to the hide, effect a total of 17,492 acres. But taking the average at one hundred acres per hide, which on account of the variation of this measurement we are warranted in doing,—the hide being admitted to have varied in different counties from eighty to one hundred and twenty acres—the gross amount of land possessed by the abbey of Evesham was then 21,862 acres. The revenue derived from this—as far as is given in Domesday, where the whole of the property is not valued—was 129 libræ and 10 solidi.

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[25] This measure, according to Ingulphus, was equal to a then ordinary mile; nearly one mile and a half, according to the present standard.—See *Ellis's Introduction to Domesday*, p. 51.

Beside these lands, thus entered in Domesday as actually belonging to the abbey at that time, the following had been its property in the time of the Confessor; although of such it had unjustly been deprived by Odo bishop of Bajeux, half-brother to the Conqueror, assisted by Urso D'Abitot, the sheriff of the county.[26]

Six hides at Actune [Acton], four hides at Lench, three hides in Uptune [Upton Warin], the right of Evesham church to these was testified in full county: half a hide at Witune in Droitwich, with one and a half salt-vats, given to the same church by one Aluiet, in the fifth year of king Edward the Confessor (A. D. 1045), when his son became a monk at Evesham, who on that occasion placed the conveyance upon the altar:[27] four hides at Hantune [Hampton], these were testified by the county as having been purchased from one Tainus, who had also completed the transfer by placing the conveyance upon the altar. In addition to these, the following possessions were, also, through the influence of Odo, abstracted from the abbey in the time of Abbot Walter.[28] In Worcestershire, one hide in Branesford [Bransford], seven hides in Eunelad [Evenlode], three hides in Deilesford [Dailsford]. In Warwickshire, seven hides in Arewe [Arrow], two hides in Eccleshale, one hide in Wifleshale, four hides in Edricheston, one hide in Dorsinton [Dorsington], two hides in Brome [Broome], one hide in Budiford [Bidford], five hides in Bivinton [Bevington], and three hides in Salford. In Oxfordshire, five hides in Salford near Chipping-Norton, three in Cornewelle [Cornwell], six hides in Chestelton [Chastleton], four hides in Derneford [Dormstone], and five hides in Sipton [Shipston]. In Gloucestershire, ten hides in Quenton [Quinton], five hides in Parva Slout [Little Slaughter], seven hides in Swella [Swell], ten hides in Childswicwon [Childswickham], and two hides in Pebewrth [Pebworth]: completing a total of 111½ hides, or 11,150 acres; which, added to the lands of the church registered in Domesday, and still averaging the hide at one hundred acres, render its landed possessions in the time of Edward the Confessor equivalent to 33,012

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[26] Domesday Survey of the Lands of the Church of Evesham.

[27] Domesday Survey of Lands of Urson De Abetot.

[28] Ex Actis Abbatum, Harleian MS. Num. 3763, fol. 58 b.

acres! In fact it has been considered that by the extravagant grants of land made to cathedrals, monasteries, and other churches, chiefly during the tenth century,—at the time of this monarch's decease—more than one-third of all the lands of England were in the possession of the clergy; exempted at the same time from all taxes, and for the most part even from military aids.[29]

In addition to these vast possessions, the monks by their charters and in their registers enumerate estates in other parishes as having been conferred upon their house, but which they lament as subsequently lost "during wars and invasions, as also through malicious prelates, negligent abbots, and temporal adversaries."[30] The following are places in which the abbey claimed lands not appropriated to it in the survey of Domesday:—Twyford, Podenho, Dynyngton, Wythelye, Camborn, Kynewarton, Dunyngton, Stowe, Raggeleye, Crewe, Mulcote, Hyldeburwythe, Hatton, Wickton, Houpton, Hudycote, Stoke, Weylesford, Sloptre, Grafton, Newenham, Wrottesleye, Wynyngton, Soleston, Serpham, Wudyford, Leylond, Meoles, Faryngton, Longeton, Penwortham, Blakeshage, Konghwicke, Thelwell, Goldhore, and Pykesleye.[31]

Although, as previously noticed no mention of the hundred by name of Blakenhurste occurs in Domesday, yet it is clear that down to the reign of Henry I. almost the whole of the hundred as now defined continued in the possession of the abbots. At that period the hundred entire with all things pertaining to it were granted to the church of Evesham and to the abbot and his successors, to be held in perpetual almoigne and in free and undisturbed possession.[32] No sheriff or officers were to hold pleas there against their jurisdiction; and the privileges of sac, soc, theam and infangtheof were granted them. The two first gave civil jurisdiction, the third conferred forfeitures of stolen goods, and the last empowered them to adjudicate in criminal matters within their territory.[33] Freedom from toll throughout England is further given them by the

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[29] Henry's History of Great Britain, book ii. c. 2, sec. 5.

[30] Extracta Particula de Gestis Abbatum, in Harl. MS. 3763, British Museum.

[31] Ibid.

[32] Carta Henrici I. de Hundredo de Blacahurste, in Harleian MSS. 3763, fol. 79.

[33] Compare Merewether's History of Boroughs, vol. i. pp. 50 and 289.

same charter; which Dr. Nash has noticed, but without citing his authority.[34] This right was disputed by the bailiffs of Worcester in the reign of Henry III. at an assize held there in 1240 before the kings justiciaries; but upon witnesses deposing that "the abbot, his predecessors, and all his tenants and people from all those towns and villages of his that lie within the county of Worcester were always in the market of the aforesaid city free of toll and of every other custom in every thing sold or bought for their own uses, excepting only a male horse, for which they were accustomed to pay two-pence,"—it was adjudged that the abbot and his people were free and that the bailiffs were nonsuited.[35]

The following individuals are enumerated as benefactors to this monastery, in various entries comprised in two of the abbey regis-ters;[36] although these documents sometimes disagree, in ascribing the same gift to different donors. King Ethelred gave in 701 the tract of land then called Ethomme, now Evesham, and in 703 the castle of Chaddebury and the old monastery of Stratford. Offa, king of the east Saxons, gave Offenham. Ethelward, or Aylward, gover-nor of Wiccia, gave Ombresley, in 706. Ailric, son of king Osher, gave Childswickham, in the same year. Walter, son of Dudda, gave Swelle Major. Kenred, king of Mercia, gave in 708, on the one part of the Avon, Norton, Echlench, Morton, Bivinton, Hulebarewe, Witheley, Samburn, Kinewarton, and both Salfords; and, on the other part of the Avon, Hampton, Bengeworth, Wickham, Willersey, Dunington, Bradwell, Tetlestrop, Stow, Malgaresbury and Burchton. Chelred, king of Mercia and son of Ethelred, gave in 711, Ragley, Arrow, Eccleshall, Wivleshall, Edrichston, Dorsinton, Broom, Mul-coth, Buninton, Hilborough, and a hide of land in Bidford. In 716 Ethelbald, king of Mercia, gave Acton, Branesford, Hamton near the chief town [emporium] of Wiccia, Upton, Witton and Alnoth Lench near Chadbury, Weston, Hudicote, and Stoke. In 721 the same king gave "a portion which the inhabitants call Sele, in the

[34] Nash's Worcestershire, vol. ii. p. 403 b.

[35] Quædam Spectantia ad Libertates etc. Monasterii de Evesham.—*Cotton MS. Vitellius E* xvii. fol. 22, in Stevens, and in *Tindal*, 189.

[36] Ex Registro de Evesham, per Glover, in Dugdale; and Destroyed Cottonian MS. Vitellius E xvii.

place where the salt waters rise, with the use of three buildings :[37] the salt-vat there ought to return yearly to the church of Evesham 360 mittas of salt." Offa, son of Tunfrith king of Mercia, gave "Dunninton, etc." in 757. Beortulph, king of Mercia, gave Pebworth, in 784. Ufa, earl of Warwick, gave Whitlakesford and Grafton Major, in 973, in the reign of king Edgar. Ethelred king of England, brother of Edward the Martyr, gave one manse in Stowe, near Malgaresbury, in 987. Canute, king of all England, gave, in 1018, the lordship of Badby and Newnham. In the same reign Leofric earl of Mercia, and Godgyve his wife, gave lands at Hampton, with the provender and men, and dues thereto pertaining.[38] Here the serfs are as deliberately transferred with the soil, as though they formed a portion of the crop. Warin Bushell gave the church and tythes of Penwortham ; Richard, his son, Leylond church. Albert Bushell, son of Richard, gave lands in Longton, Ekeston, Lelande, and Meoles. Robert Bushell gave lands at Penwortham : and Galfred, his son, lands in Longton. Robert de Stafford, with Robert his son, gave lands in Wrotesley and Livinton.[39] Bryan, a count's son, gave the church of Hildindon with a third of the tythe, a hide of land and a mansion thereon.[40] Randulf de Kinewarton, with the assent of Alexander his son and heir,[41] gave the church there with the chapels of Alne and Witheley, and all pertaining. Two lists of further benefactors will be found in the Appendix to the present volume.[42]

This house became a mitred abbey in 1163, by bull from pope Alexander III. as will be noticed hereafter in our account of abbot

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[37] Unam portionem quam acolæ Sele nuncupant, in loco ubi salsæ bullunt aquæ, cum statu trium mansionum.—*Harleian MS.* 3763, fol. 57.

[38] "Cum victu et hominibus et omnibus rebus et consuetudinibus ad eandem pertinentibus.—*Carta Leofrici Comitis de terrâ de Hamtune,* Cottonian MS. Vesp. B xxiv. fol. 26.

[39] Carta Roberti de Stafford, in Cotton MS. Vespasian.

[40] Carta Brieni filii Comitis, in Harleian MS. 3763.

[41] "Alexandro filio meo et hærede volente et consentiente."—*Carta de Eccles. de Kinewarton,* in Harleian MS. 3763.

[42] Compiled by the Precentor of the monastery in the reign of Henry VI. Numbered V in Appendix.

Adam. As being one of the principal Benedictine monasteries, the abbots here were doubtless summoned to parliament from the earliest period. Among the oldest writs extant,—23d of Edward III.—the abbot of Evesham stands fifth in order; and is, in after summonses, commonly distinguished, with those of Bury, St. Albans, and Waltham, by the appendage of "Exempti," indicative of their freedom from visitation by the diocesan; and these four usually take precedence of all others of their class and order.[43]

This abbey from an early period claimed, as former portions of this chapter have intimated, entire exemption from episcopal jurisdiction. During the reign of Canute, Ælfward abbot here and at the same time bishop of London, provided that Avikin then prior of the monastery should be constituted dean of the whole Vale; that this church might not again be deprived of its exemption, as it had previously been by Adulf bishop of Worcester in the reign of Ethelred the Unready.[44] In the time of abbot Randulph the dean also visited the churches throughout the vale as peculiars of this abbey: he also collected therein the Peter's-pence or yearly payment of one penny from each house to the see of Rome,—called Rome-scot by the Anglo-saxons—except where they were collected by the bishop; and appropriated the proceeds to the expenditure of his office, reserving the yearly payment of twenty solidi to the pope.[45] This collection is warranted by a bull from pope Gregory, (presumed to be Gregory VIII.) dated from the Lateran in the fourth year of his pontificate; such payments to be gathered from the residents on the monastic demesne and also at Moreton and Ombersley.[46] An opinion upon the question of a privileged peculiar in the Vale of Evesham, prepared for Bishop Freake about the year 1587, cites the Decretals as stating that Celestinus the pope exempted the churches in the Vale; but observes that as shown by the White Book of the bishoprick the abbots of Evesham had exercised their ecclesiastical jurisdiction partly by consent of the

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[43] Vide Palgrave's Parliamentary Writs, vol. i. pp. 28, 30, 32, 47, 56, 78, and 80.

[44] Cottonian MS. Vespasian B xv.

[45] Constitutions of Abbot Randulf, in Cottonian MS. Augustus II.

[46] Ecclesiastical Documents, part ii. published by the Camden Society, 1840, pp. 70, 71, 72.

bishop of Worcester, for which the bishop had received from the abbey the advowsons of Hillingdon, Kinwarton, and Weston.[47] This is authenticated by an agreement made at Fladbury, in 1242 upon St. Katherine's day, during the abbacy of Thomas de Gloucester. It is witnessed among others by Simon de Evesham archdeacon of the east riding of York, and is copied by Dr. Nash (ii. 178) from the White Book of the bishops of Worcester.

Pentecostals were formerly made from the chapelries in this deanery to the monastery, as the mother church. These oblations, from their being made at whitsuntide and their consisting of a farthing from every householder, were also termed whitsun-farthings. From a document in the Petyt MSS. in the Inner Temple library,[48] it appears that certain of the villagers in making these payments individually at the monastery, were accustomed to repair thither in distinct processions, carrying a cross and banners. This being done at a period of general and boisterous festivity, rivalries and quarrels had taken place; and in 1442 "many mutilations and even murders" had occurred. In these tumults the inhabitants of Church-Honeybourne had been so conspicuous, that in the above year pope Eugenius IV. upon a petition exhibited to him, ordained that this long-established custom of procession should cease; but that the usual payment from each householder to the monastery should continue.

Of the cells, or monasteries subordinate to and governed by this abbey, the earliest appears to have been the priory at Othenesei, now Odensee the capital of the isle of Funen, in the Baltic. Application having been made from that priory for instruction in the Benedictine discipline according to the usage of Evesham abbey, William Rufus permitted twelve monks and three clerks to remove thither, accompanied by five *moniales* and three attendants; all of whom were to receive in their new situation the same allowance of food and clothing as they did here.[49] In 1174 the affiliation with

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[47] "Memorandum concerning the priviledged Peculiar in the Vale of Evesham," in Nash's Worcestershire, i. 422.

[48] De Processione Villanorum de Honeyborne ad Evesham, copied in Nash, vol. i. page 200.

[49] Account of Robert, abbot of Evesham, in Harleian MS. 3763.

this abbey was completed; Evesham being then, in a charter from Waldemar I. king of Denmark, recognized as the mother church.[50]

The priory of Penwortham in Lancashire was confirmed as a cell to this abbey by bull from pope Alexander III. during the twelfth century.[51] According to bishop Tanner, Warine Bussel having in the time of William the Norman given the church and tythes of Penwortham, with other estates thereabout, to this abbey, the priory was soon after erected, and Benedictine monks from Evesham were placed therein.[52] In the Harleian cartulary this cell is stated to have had no endowment distinct from the parent monastery, and that in prior Wylecote's time, 1320, it had never been presented to or instituted by the bishop of the diocese.[53] In the return made to the First-fruits' office in the 26th of Henry VIII. it is valued at £114. 16*s.* 10*d.* yearly; from which, according to bishop Tanner, the prior paid £63. yearly to the abbey of Evesham. The site of the priory was granted in the 34th of Henry VIII. to John Fleetwood of London.

The abbey of Alcester, founded by Ralph Boteler of Oversley, in 1140, became a cell to the abbey of Evesham in 1467. In the previous year Edward IV. as patron in right of his duchy of Lancaster, expressed in letters patent that "through divers misfortunes and the negligence of many abbots there then was not, nor of a long time had been any monk to bear the abbot company," and that the revenues were so diminished that they could neither maintain the appointed number of monks nor exercise offices of hospitality and piety; for which cause the king granted to Richard [Pembroke], then abbot of Evesham, and his successors, the right of patronage and advowson, that he should procure it to be united and appropriated to that monastery. This was completed on the

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[50] In Cotton MS. Vespasian B xxiv. Copied also in Dugdale's Monasticon, ii. p. 25; and in Tindal's Evesham, p. 160.

[51] Dated from the Lateran on the 3d of the nones of March, without further indication as to the period.—*Harl. MS.* 3763, fol. 112, copied in *Dugdale's Monasticon*, vol. iii. p. 418.

[52] Tanner's Notitia Monasticon. Lancashire, xiv.

[53] Dugdale's Monasticon, iii. p. 418.

26th of April 1467, by Carpenter bishop of Worcester; when, upon the resignation of Richard Tuttebury last abbot of Alcester, it became from this period a cell to the abbey of Evesham. It was at the same time ordained by the said bishop that three monks from Evesham in priest's orders should reside at Alcester, one as prior and the others as his assistants, to say mass and to perform other divine offices. He also reserved from its revenue a yearly pension of 13*s.* 4*d.* to himself and successors; to the prior and convent of Worcester, 6*s.* 8*d.*; and to the archdeacon of Worcester 6*s.* 8*d.*; which payments the abbot of Evesham by his bond, dated 6th May 1466, obliged himself and successors to pay yearly in the cathedral church of Worcester.[54]

On 26th February, 1515, the abbey of Evesham obtained license from Sylvester bishop of Worcester to rebuild the church at Alcester, then in ruins, to change its form, and reduce its dimensions, suitable to the then number of monks.[55] In the 26th Henry VIII. the revenues of this priory being certified as no more than £65. 7*s.* 11*d.* above reprises, it was suppressed with the smaller monasteries, under the statute of 27th Henry VIII. The site and lands were ultimately demised by the king to Fouk Grevill, esq., who pulled down the priory to enlarge his house at Beauchamp's court.[56] The site of the manor of Pebworth, part of the estate of the same monastery was granted to Richard Fermour for term of his life by letters patent, "being of the value of £4. 6*s.* 8*d.* by the yere."[57]

The monastery was situated about half a mile north of the town of Alcester, and having a moat on two sides, and the river Arrow at the north and east, it was popularly termed "the church of our Lady of the Isle." The site is still called the Priory Close, and in ploughing there early in the present century "a stone coffin was found, with places formed to admit the head, the elbows, and the heels of the corpse."[58]

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[54] Dr. Thomas's edition of Dugdale's Warwickshire, p. 772.

[55] Regist. Sylv. Gigles, fol. 118, in Dugdale's Monasticon, iv. 173.

[56] Leland's Itinerary, second edition, iv. 71.

[57] Grant of 36 Henry VIII. in Augmentation Office.—*Dugdale*, iv. 180.

[58] Beauties of England and Wales, Warwickshire, p. 289.

CHAPTER III.

ARCHITECTURAL SURVEY OF THE CHURCH & MONASTERY—MAGNIFICENCE OF THOSE EDIFICES—THEIR PRESENT REMAINS.

THE situation chosen by bishop Ecgwin as the site of his monastery was—as is usual with such institutions—the most eligible and beautiful in the vale. Its exact position was upon that genial bank immediately southward of the present town. Here the conventual church and monastic quadrangle were erected, upon the garden ground that now immediately adjoins the parochial cemetery. The original church was founded in 701, but could hardly at that period have been built of stone: for in 960, the whole fell down; the shrine and relics of the founder being all that were preserved.[59] In the reign of Edward the Confessor the church was re-built by abbot Mannie upon a larger scale, and was consecrated during his abbacy, only twelve years before the Norman conquest, by Leofwine bishop of Lichfield.[60]

When William had secured himself upon the English throne, and the possessions of this abbey, in common with others, had been transferred to a Norman ecclesiastic,—Walter of Cerasia,—the new

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[59] "Tempore istius abbatis Oswardi occulta animadversione dominica ecclesia Evesham ruit quam sanctus Egwinus construxerat, ac secum universa subruit atque comminuit præter feretrum sancti Egwini cum ejusdem reliquijs quod divina gratia conservatum est illæsum."—*Cottonian Register*, Vesp. B.

[60] "He [bishop Aldred] commissioned bishop Leofwine to consecrate the minster at Evesham; and it was consecrated in the same year, (1054) on the sixth before the ides of October."—*Saxon Chronicle, by Ingram*, p. 243.

abbot, apparently dissatisfied with the building so recently erected, began to construct upon its site a church, which like other Anglo-norman edifices was destined to eclipse both in extent and workmanship the more confined and simple structures of the Anglo-saxon dynasty. "The wily Ægilwin" his Saxo-norman predecessor,—if we may by this epithet be allowed to indicate the subserviency of that abbot to the oppressor of his own nation—had left four chests of silver toward thus re-building his church; which having been expended in the work, and money still being required, we learn that abbot Walter sent the shrine or feretory of St. Ecgwin through the kingdom attended by his monks, to operate impulsively upon the charity and piety of the faithful; and thus collected donations toward the completion of the work.[61] By this assistance the crypt, crowd, or undercroft, of a new church, the chancel over it, with the supporting arches and first story of the central tower, were built during this abbacy. The most sacred portion of the fabric being thus completed, it is probable that the church was consecrated at that time. It having been usual with the Normans, when erecting these more spacious edifices, to complete and consecrate the choir before the other portions of the fabric were finished, or even, sometimes, begun.[62]

Nothing further seems to have been completed during the space of nearly forty years; when abbot Reginald added the transepts,—which were distinguished as St. Ecgwin's and St. Oswald's[63]—erected a portion of the nave, and probably completed the central tower; since it is recorded that he cast two large and two smaller bells. He likewise proceeded with the cloisters, previously begun; and encompassed the abbey and its cemetery with a lofty wall. Of the latter a portion remains entire, abutting against the bell-tower at the north; other portions also occur parallel with the church of Saint Lawrence. But little seems to have been done during the

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[61] Extracta Particula de Gestis Abbatum.—*Harleian MS.* 3763.

[62] Compare Mr. Bentham's remarks upon ecclesiastical founders soon after the conquest, in his History of Ely Cathedral.

[63] Duo brachia, scilicet Sancti Egwini, et Sancti Oswaldi."—*Acts of Abbots in Harleian MS.* 3763.

next twelve years, when abbot Adam, in 1161, assisted by the dean of Wells "and other well-disposed persons," finished the nave or body of the church, thus completing the edifice. He then, under the superintendence of "Master Adam Sortes," one of the monks, commenced a bell-tower; usually an edifice distinct from the church, and appropriated chiefly to the reception of the great clock and bell of the monastery. The same abbot likewise constructed much of the cloister.[64]

About the year 1215, the church so recently completed received great injury by the fall of its central tower. The cause of an accident so unusual in Anglo-norman workmanship is not assigned. Indeed the circumstance itself is only incidentally noticed in the Cottonian chronicle, among the 'good works' of de Marleberg;[65] who, before his elevation to the abbacy, superintended the repairs rendered necessary by the accident. The choir must on this occasion have been almost destroyed; since the above individual rebuilt the walls of the presbytery, five of its arches, and its aisles. He also repaired the other parts of the church; restored its injured shrines and painted windows, inserting in the great window of the chancel eastward the miraculous legend of St. Ecgwin, and commenced the re-edification of the central tower. Unwearied in the prosecution of architectural improvements, he at the same time contributed pecuniarily toward the completion of the bell-tower begun by Adam Sortes, and painted the interior of the *first* chapter-house.

A fatality seems to have attended the towers of St. Ecgwin. In little more than forty years from the date of its erection, the bell-tower of abbot Adam—which occupied the site of that at present standing—fell to the ground. In 1261, as we learn from the Worcester annals, its summit had been burned by lightning;[66] but that injury had, according to Leland, been repaired in 1278.[67] With reference to this conflagration, it is worthy of remark that, while the annals of most other ancient monasteries abound with records of devastating fires, no other instance of injury by that agent occurs among the chronicles of this abbey.

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[64] Harleian Register, 3763. [65] De Bonis Operibus Prioris Thomæ.

[66] Annales Ecclesiæ Wigorniensis, anno 1261: in Wharton's Anglia Sacra.

[67] Lelandi Collectanea, tom. i. p. 248.

In 1295 a new chapter-house was commenced by abbot De Brokehampton. As, according to the Harleian cartulary, a chapter—or conventual council—was holden in that year, to make provision for the completion of this, as well as minor erections, noticed as then just commenced. Its erection was undertaken by Henry Lathom—*Latomus* or stone-cutter—one of the monks; and was completed by him, according to the manuscript cited by Leland, in 1317. The same abbot built also that side of the cloisters next the chapter-house and erected a library over it, as a study for the monks. During the same abbacy, Henry Lathom built also the refectory of the abbey, the great hall, the abbot's hall, and the great kitchen.

A century elapsed before circumstances permitted the final restoration of the central tower of the church. This was at length effected during the abbacy of William de Chyryton, by William Stowe the sacristan, in 1319. Henry Lathom, whom we have previously noticed as an architect of the monastery, died, according to Leland, in the same year; but a successor in the art was, as we here perceive, readily found among the inmates of the convent.

The abbey church rendered thus complete in all its portions and appurtenances, the only addition that abbot Lichfield apparently could devise to augment its general magnificence was effected by adorning the interior of the choir with the luxuriant decorations of Tudor architecture.[68] The generation that witnessed this embellishment, beheld likewise the utter destruction of the fabric. A demolition so unsparing, that Leland, who visited the spot but a very few years after, gives no further intimation of this splendid pile with all its cathedral-like accompaniments, than may be collected from this single phrase—"the late abbey." Mr. Abingdon also—who viewed the site about eighty years later—writes, that so absolute was its overthrow, that nothing then remained but "a huge deal of rubbish overgrowne with grass."[69] His further observations respecting its former magnificence are particularly disappointing. Since instead of some definite description, which we conclude might then have been gleaned, he seems to have been content with record-

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[68] "He builded much about the quire, in adorning it."—*Leland.* Itin. vol. iv. p. 69.

[69] MS. Survey of Worcestershire, in Library of Antiquarian Society, Somerset House.

ing the mere local gossip or vague popular tradition of the day. Such as stating the number of pillars which the church was said to have contained, and then proceeding to glance with tantalizing brevity at what he calls "a very great and curious walk to go at certain times to the little church to celebrate mass," which church, he adds, is now the parish church of St. Lawrence. Brown Willis, writing about the year 1750, merely observes—"What sort of fabric the abbey church was, I have no where found, except that it had a high tower in the middle. The abbey, with the cloysters, offices and monuments, was so intirely demolished after the dissolution, that nothing now remains but the said high tower, which stands in the abbey cemitery, and was built by abbat Lichfeild."[70] But in this imperfect account the writer only confounds the central tower of the abbey church, then totally destroyed, with the bell-tower of abbot Lichfield, which stood entirely distinct from that edifice, and which still remains.

More successful than these precursors, the present writer believes that he shall be enabled—from the authorities referred to in former portions of this chapter, as well as from observations collected during the late excavation of the foundations of the church, chapter-house, and cloisters,—to present a tolerably distinct account of the architecture and extent of the church, as well as of some portions of the monastery. The excavation referred to, was carefully effected by Edward Rudge, esq. the owner of the site, at intervals between the years 1811 and 1834. But the foundations of the church and chapter-house, after the completion of measurements for the construction of a ground-plan, were to a considerable extent taken up and removed. The area of the cloisters was entirely dug over, soon after, by the late Mr. Welch, who then owned that portion; but in this instance—unfortunately without any pains to form a ground-plan—the entire foundations were broken up and burned on the spot for lime.

The abbey church, we find from the conventual manuscripts, was colloquially termed "the great church," in order to distinguish it from the two comparatively insignificant churches that adjoined it, and which we consider might have been both included within the

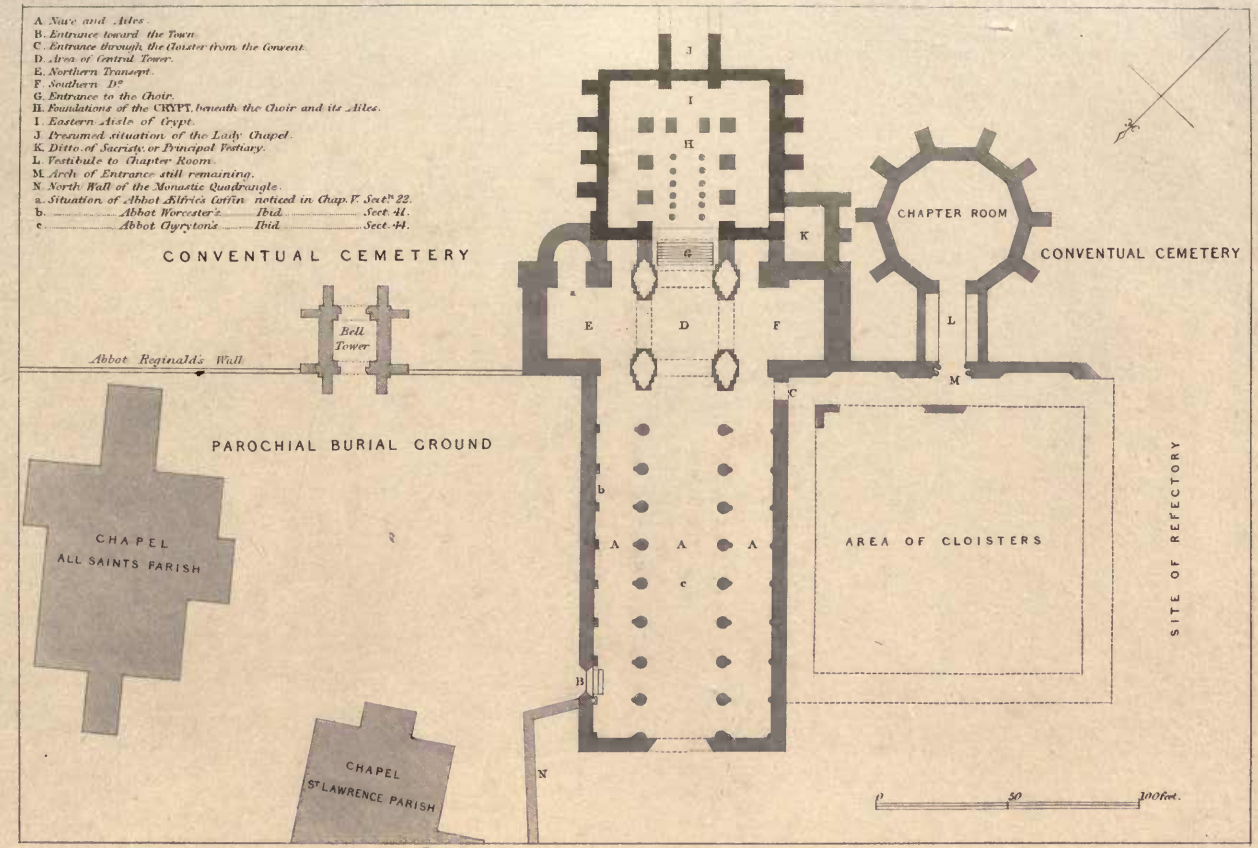
[70] Willis's Mitred Abbeys, vol. i. p. 90.

area of its walls. Its outline was, in unison with the religious notions of the period, in form of a Roman cross. It extended from east to west about 300 feet, and consisted of a nave, transept and choir, held together, as it were, by a lofty central tower rising upon the intersection of those divisions. The choir, and chapel of the Virgin, stood in the meadow called the cross-churchyard ; the transept or great cross aisle joined the former at north and south, in a line with the existing archway in the garden of the abbey-house ; and westward of the transept, the nave or body of the edifice, with its lateral aisles, extended along the ground now walled in and parcelled out, lying between the cloister-gardens and the bell-tower. The chapter-house was in the cross-churchyard, a little eastward of the existing archway there; the cloisters were adjacent to the same arch, but extended round the present plot of garden westward ; and the arch of the chapter-room opened into the cloisters. The bell-tower at present remaining, adjoined the transept and stood parallel with it, toward the north.

The ground-plan formed by Mr. Rudge, while pursuing his researches, has recently been published by the Antiquarian Society, of which that gentleman is a member.[71] By relying upon the most decisive portions of that survey, at the same time adopting the suggestions supplied from personal observation and an acquaintance with the ground-plans of similar structures—the present writer is enabled to complete such an outline of the fabric, as viewed in connection with the existing edifices included in the accompanying plan, will he trusts be found to convey a distinct and, as far as practicable, a correct idea of the form and situation of the abbey church and its appendages, now so entirely destroyed.

The foundations of the nave or body of the church—marked A in plan—appeared *in sitû*, with the exception of the southern wall, upon removing the accumulated rubbish beneath the surface and reaching the original level of the soil. This portion, erected in the twelfth century, presented even in its ruined basement sufficient indications of the massive grandeur of the Anglo-norman style : the bases of cylindrical columns of vast diameter being found in their original position next the aisles, upon a floor retaining vestiges of

[71] In Vetusta Monumenta, vol. v.


A. Nave and Ailes.
B. Entrance toward the Town.
C. Entrance through the Cloister from the Convent.
D. Area of Central Tower.
E. Northern Transept.
F. Southern Dº
G. Entrance to the Choir.
H. Foundations of the CRYPT, beneath the Choir and its Ailes.
I. Eastern Aisle of Crypt.
J. Presumed situation of the Lady Chapel.
K. Ditto of Sacristy or Principal Vestiary.
L. Vestibule to Chapter Room.
M. Arch of Entrance still remaining.
N. North Wall of the Monastic Quadrangle.
a. Situation of Abbot Aldric's Coffin noticed in Chap. V. Sectn 22.
b. ..... Abbot Worcester's ..... Ibid. ..... Sect. 41.
c. ..... Abbot Cyryton's ..... Ibid. ..... Sect. 44.
CONVENTUAL CEMETERY
Bell Tower
Abbot Reginald's Wall
PAROCHIAL BURIAL GROUND
CHAPEL ALL SAINTS FARISH
CHAPEL ST LAWRENCE PARISH
CHAPTER ROOM
CONVENTUAL CEMETERY
AREA OF CLOISTERS
SITE OF REFECTORY
0 50 100 Feet.

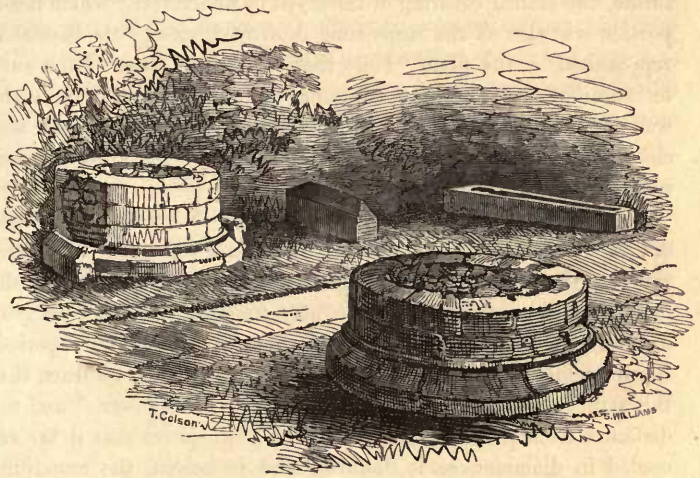
Compiled by Geo. May. To Scale by W. Shuter.

Etched by J.I. Williams.

Ground Plan of the Abbey Church

From Vestiges, till recently remaining.

the glazed or encaustic tiles that once formed the pavement. These bases with a portion of their shafts have been removed—with several other fragments, such as mullions, bosses, and architraves, together with three stone coffins also found—to a plantation adjoining the residence of Mr. Rudge, about a mile distant from the town. But



[Pillars from the Nave of the Great Church.]

as the pillars of the nave, when found in their original situation stood within a walled enclosure, it is matter of deep regret that this portion of the foundations, at least, was not suffered to remain in its ancient position; as it would in that situation have been secured from injury, and might thus have displayed for many years the actual basis—a most interesting ground-plan—of the chief portion of the Great Church of Evesham, now utterly thrown down. The transept or great cross aisle—marked E, F in plan—erected in the same century, was doubtless of corresponding style; an opinion which the bases of its ponderous walls corroborated.

The choir and chancel, or portion peculiarly devoted to the performance of religious offices, having been rebuilt in the middle of the thirteenth century, when the lancet-arch style of architecture

was at its zenith, most probably displayed much of the general appearance still observable in Salisbury cathedral. Excepting that at a subsequent period it received additions of a later character from abbot Lichfield's hand. Of this important portion, however, no vestiges remained; for the choir being seated *upon* the Norman crypt or subterranean story—marked H in plan—the basement of the choir was wholly swept away in breaking up, after the Dissolution, the arched covering of the crypt or undercroft; which latter portion was also at the same time destroyed, except its basement represented in the plan. Here then we see the bases of the subterranean piers and bulky columns, on which were wrought the well-compacted vaults that sustained the pavement of the choir and chancel aisle, with all their weight of masonry—piers, arches, monuments, altars, screens, and shrines.

Between the pillars of the nave and crypt—marked D in plan—are shown the bases of the four piers that once sustained the central tower. That structure, as having fallen and been rebuilt during the fourteenth century, presented, we may consider, all that beauty of outline and richness of decoration which distinguish that period. From incidental notices in the conventual registers, we learn that this structure was distinctively termed "the great tower;" and the distances from pier to pier, seen in the plan, prove that it far exceeded in diameter, as it doubtless did in height, the remaining and adjacent bell-tower.

The easternmost division of the crypt—marked I in plan—must have sustained a transverse aisle or lesser transept, immediately behind the choir. This aisle has by a recent writer been considered as having "probably formed the Lady Chapel;"[72] which was that division of the church peculiarly appropriated to the worship of the Virgin Mary. But the limited width of this *passage*—only about sixteen feet across from east to west—forbids that supposition: more especially as intimations abound in the conventual registers of the importance of the Lady Chapel here and, by inference, of its extent. The aisle above adverted to, was most probably that restored

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[72] Memoir, by Edward John Rudge, esq. M.A., F.S.A., published by the Antiquarian Society, in Vetusta Monumenta, vol. v. page 4.

by Thomas de Marleberg, after the fall of the central tower, wherein he caused a lectern or reading-stand to be placed; where likewise stood the altar of St. John the Baptist, and St. Wilsin's tomb.[73]

The usual situation of the Lady Chapel would place it eastward of the aisle just noticed. Its probable extent as appended to such a church as this of Evesham, would be between sixty and one hundred feet from west to east. The two projections in the masonry—lettered J in plan—appear to mark the junction of the north and south walls of this chapel with the aisle or lesser transept eastward of the choir. From the notice of consecration preserved in one of the registers the Lady Chapel here must have been added by abbot Brokehampton about the year 1294:[74] "this supplement to churches having"—in the language of a recent writer—"been wholly unknown to the ecclesiastical structures of Norman origin."[75] Our opinion respecting the period of its erection is corroborated by the following inscription, which one of the registers records as then appearing on the altar-screen of this chapel, beneath paintings illustrating the impious acts of the Herods:—

"Perpetuis annis animæ sit vita Johannis
Patris Eveshamiæ, qui sic altare Mariæ
Sumptibus ornavit. Ric. opus reparavit.
Pictor Martensis habitator Londoniensis.
Herod Herod
Ascolonita necat pueros—Antipa. Johannem—
Agrippa Jacobum servans in carcere Petrum."[76]

From the Institutes of abbot Randulph, as also from two other

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[73] "Retro chorum in ecclesia Evesham . . . . juxta tumba Sci. Wlsini."—*Cott. Register*, Vespasian B xxiv.

[74] After enumerating various altars in the abbey church consecrated here in 1295, by the bishop of St. Asaph, the manuscript thus concludes—"In crastino Sancti Egwini [January 11] Capellam Beatæ Mariæ."—*Cott. MS. Vitellius E in Stevens.*

[75] Cursory Disquisition on the Conventual Church of Tewkesbury, 8vo. p. 47.

[76] "May the soul of abbot John of Evesham live for ever, who thus at his own charge adorned the altar of the blessed Mary. Richard [de Bromesgrove] repaired the work. The painter was Marten, an inhabitant of London.—

"Herod the Ascolonite destroying the Infants—Herod Antipas keeping John—Herod Agrippa keeping James and Peter in prison."—*Versus in tabula super altare Beatæ Mariæ*, in Cott. MS. Nero D iii. fol. 246.

documents, we learn that the furniture of this altar was of costly description; that the chapel was in charge of a special officer; and that as many as sixty lamps and tapers were lighted here, several of which burned incessantly.[77] The tombs of abbots Bromesgrove and Wykewane were also situated here, as well as that of Walter de Gloucester, one of the benefactors of the monastery, for the repose of whose soul certain rents were assigned from the profits of the manor of Batlington, to provide two chaplains who should celebrate masses, and likewise perform hymns in honor of the blessed Virgin in the chapel dedicated to her, where the body of the said Walter lay buried.[78]

In concluding our observations respecting this chapel, it is proper to correct an error which previous writers have maintained. The fabric is in the conventual registers termed *Capella Sanctæ Mariæ in Cryptis*, which has hitherto been rendered "in the crypts." Now although small chapels for solitary masses are occasionally to be traced even in those subterranean structures—yet the character of the individual to whose honor the Lady Chapel was specially devoted, precludes the supposition that the service of the Queen of Heaven—as the Romish church regarded her—the impersonation of purity, and brilliancy, and beauty—was to be presented in the low murky vaults of a charnel-like undercroft. In the manuscript record of De Marleberg's restoration of the presbytery it is expressly stated that he repaired the roofs of the *aisles* [cryptarum] adjoining.[79] This employment of the term leaves it indubitable that aisles, or vaulted passages above ground, were intended; and therefore the chapel of the Virgin, connected with these aisles, was thus evidently level with the adjacent portions of the fabric. The fact of there having been—as we shall shortly prove—a second chapel dedicated to the Virgin, which was situated apart from the church, is sufficient to account for the distinction.

The interior of the church from the western entrance of the nave

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[77] Cottonian MSS. Augustus II. and Vitellius E xvii.

[78] Cottonian MS. Nero D iii. fol. 242.

[79] "Et ipsum presbyterium, cum tectis cryptarum presbyterio adjacentibus."—*Cottonian MS.* Vespasian B xxiv.

to the extremity of the eastern aisle, as depicted in the plan, was 281 feet; of which the nave, continued beneath the area of the central tower, occupied 157 feet. The transept was 116 feet from north to south; the width of the nave and aisles 70 feet, and that of the transept 32. If we further estimate the length of the Lady Chapel at only 70 feet, the length of the church would then have been 350 feet in the whole.

The number of altars, for celebration of private masses, erected in various parts throughout the church, exclusive of the high altar in the chancel, must have been considerable. The following are gleaned from the conventual registers, where they are incidentally mentioned. The altar of St. Mary, in her chapel;[80] St. John the Baptist's;[81] that of St. Thomas the Martyr [Becket];[82] of the Holy Trinity, St. Stephen's, St. Mary Magdalene;[83] St. Peter's, St. Anne's;[84] St. Ecgwin's at the north of the nave, that of Holy Cross opposite;[85] and the altar of Jesus, erected in the nave also.[86] The following were situated either in the aisles or in the crypt [*in cryptis*], and were consecrated by the bishop of St. Asaph in the year 1295,—the altar of St. Jacob and the Apostles, that of St. Blase, St. Benedict's, and St. Andrew's.[87]

The sanctity of the fabric was presumed to be yet further augmented by its enclosing within its walls the relics of several reputed saints and martyrs. Among these were the bodies of St. Ecgwin the founder, of St. Wulsin bishop and confessor, and of Symon de Montfort earl of Leicester, who though not admitted to the calendar was for a long time venerated by the English as both saint and martyr, and at whose tomb in the choir numerous miraculous cures

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[80] Cottonian MS. Vitellius E xvii. fol. 239; in Dugdale's Monasticon, page 40.

[81] Ib. fol. 228; copied in Dugdale's Monasticon, page 34.

[82] Ib. fol. 10; copied in Tindal's History of Evesham, at foot of page 100.

[83] Harleian MS. 3763, fol. 201; Section inscribed "Solutiones Sacristarii per Annum diversis Officiariis."

[84] Cottonian MS. Vesp. B xxiv. De bonis operibus Prior. Thomæ.

[85] Cottonian MS. Nero D iii. fol. 246; copied in Dugdale, page 12, note.

[86] Mr. Abingdon's MS. Notice of the burial-place of abbot Norton.

[87] Cottonian MS. Vitellius E fol. 228; in Dugdale, page 34.

are recorded as having been wrought.[88] Here were also shrines of elaborate workmanship enclosing the relics or entire remains of St. Wistan king and martyr, of St. Odulph, and of St. Credan, together with the shrines of St. Wulsin[89] and St. Ecgwin. The splendour of these receptacles may be judged from that which is recorded of St. Ecgwin's shrine. This was constructed by abbot Mannie in the eleventh century—who is noticed in the chronicle as the best goldsmith of his time—and was formed of gold adorned with precious stones, so that when surrounded by the accompaniment of burning tapers the light of its jewels was visible through great part of the church.[90]

South of the church, as indicated in the plan, slight traces of the cloisters were observed. These—being appropriated to the study and recreation of the monks and forming likewise a covered and glazed communication between the church and monastery—appeared in the usual situation, at the junction of the transept with the nave; and must have formed, when entire, an open quadrangle of about 130 feet diameter. Two sides of the cloisters were glazed, as well as paved, by abbot Ombresley.[91]

Near the eastern walk of the cloisters the foundations of the Chapter-room, built by abbot Brokehampton, occurred; of which enough remained to prove that the apartment was decagonal, as shewn in the plan, with a groined ceiling sustained by a central column, as may still be seen at Salisbury and at Wells. Here, as in the latter instances, the apartment was ample, about fifty feet across; the chapter-room of our larger monasteries being daily used by the fraternity, who met here after matins to hear occasional sermons, to commemorate deceased brethren, and to receive breves communicating intelligence of the death of other monks. Here also offenders

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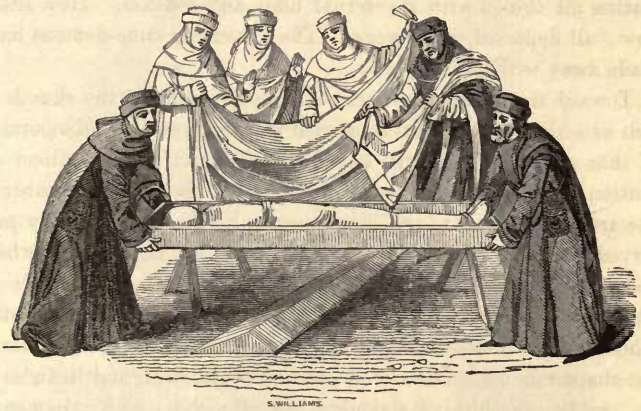
[88] Miracula Symonis de Montfort, in Cottonian MS. Vespasian A vi.

[89] "Wulsin or Wilsius was appointed abbot of Westminster by St. Dunstan about the year 958, and was after his death reverenced as a saint."—*Stevens' Additions to Dugdale's Monasticon*, vol. i. page 281.

[90] "In quo erant tres lapides magnam partem ecclesiæ illuminantes."—*Harleian MS.* 3763, *De Gestis Abbatum.*

[91] "Et ædificavit unam panam claustri contiguam ecclesiæ cum vitris et pavimentis pro dicto pano et uno alio."—*Harl. MS.* 3763; *De Gestis Abbatum.*

were accused, and chastisement was administered. The last offices also were performed here over the bodies of deceased members, prior to their interment in the area of the cloisters or in the adjacent burial-ground.[92]



[Monks performing the last offices.]

Having thus completed a general survey of the destroyed church, let us anxiously search after its few and obscure vestiges, which a minute examination will present to us as still retaining—though shattered and degraded—their original and once proud position. Where are they to be found? In the low wall that separates the parish burial-ground at its south-eastern part from the adjoining gardens. Here portions of the wall of the north aisle of the nave may be discovered, and in the same wall—half-buried in a dust-pit formed in the churchyard, within what is regarded as *consecrated* ground—the jambs of the great entrance to the church may be discerned, which stood within the northern porch, looking toward the town. A rough and ruined mass of masonry within the gardens, opposite the chantry of St. Lawrence church, serves barely to indi-

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[92] Decretals of Lanfranc, in Fosbroke's British Monachism, 8vo. vol. ii. p. 157.—The Illustration inserted in the text, is copied from the title-page of the exquisitely illuminated MS. Valerius Maximus, in Harleian Collection, No. 4374.

cate the situation of the western front, and thus sums up the brief memorials that point out to us the actual situation of the abbey-church. Yes! here "bells tolled to prayers; and men of many humours, various thoughts, chanted vespers, matins,—and round the little islet of their life rolled for ever the illimitable ocean, tinting all things with its eternal hues and reflexes. How silent now; all departed, clean gone. The devouring time-demons have made away with it all."[93]

Toward the buildings so immediately adjacent to the church as well as so intimately connected with it, as almost to form a portion of that solemn pile, it will be well in the next place to direct attention. Of the remains of these—and few they are in number—the arch of entrance to the chapter-room has been remarkably preserved amid the protracted, because repeated, devastation which has removed every sculptured relic of the once adjacent church. It stands embedded in a portion of the outer wall of the eastern cloister, whence it conducted through a spacious vestibule to the interior of the chapter-house. The arch is gradually embowed, and includes in its receding architrave a double row of niches, with ornamental canopies, wherein were formerly enshrined the effigies of saints and martyrs, twenty in all; most of which, though now decapitated, yet maintain their seats, exhibiting, even in their present mutilated condition, a pleasing specimen of the sculpture of the time. The figures are said to have been decollated so recently as the middle of the last century, till which period they had been preserved by a Mr. Rogers who held the property upon lease; but he having a wayward son, the youth is said to have thus wilfully mutilated them, to annoy his father on account of a denial which he had received to some request. The back of the archway is disfigured by modern plaistering, and even the sculptured architrave is made to prop a despicable hovel, which is actually reared against its tabernacled canopies. It is additionally painful to remark that all the projections are fast crumbling away beneath an exposure which the builder could not anticipate, and that no later hand attempts to screen from dissolution this last relic connected with the extirpated church. The new edition of Dugdale's Monasticon has perpetuated

[93] Carlyle's Past and Present, book ii. chapter 2.

an erroneous conclusion of Mr. Tindal's, by terming this arch "the principal entrance to the abbey."[94]

[Entrance to the Vestibule of the Chapter-house.]

The bell-tower, happily preserved, remains almost in that perfect state in which it passed from its founder's hand. It was commenced by abbot Lichfield about the year 1533, as a receptacle for the clock and great bell of the monastery, and at the same time as a gatehouse to the conventual cemetery.[95] We have named this year, from a

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[94] Edition by Caley, Ellis, and Bandinel, vol. ii. page 12.

[95] "He made a right sumptuous and high square tower of stone in the cemetary of Evesham. This tower had a great bell in it and a goodly clock, and was as a gatehouse to one piece of the abbey."—*Leland's Itinerary*, vol. iv. page 72. Willis

presumption that as the erection of the finely-proportioned tower of Magdalen College, Oxford, occupied six years,[96] the present structure must have required a similar period; and it being apparent—as we shall shortly notice—that the fabric was scarcely finished at the resignation of its founder in 1539, the year above mentioned would give the period of its commencement. Its situation must have so nearly adjoined the church, that the northern transept abutting almost against it, would thus conceal its lower stories on the south: a reason for the absence of much ornament on that side, as also for that departure from uniformity observable in the window of its upper part.

The sacerdotal architect, in his construction of this tower, has with correctest taste, preferred the style of a preceding era, to the already debased manner of his own day: so that, in the absence of direct evidence to the contrary, its distinctive features *might* appropriate it to the reign of Henry the Sixth. The fabric is square; strengthened from base to parapet by graduated buttresses with panelled fronts. Its east and western faces exactly correspond; each being divided into three compartments. The first includes a spacious archway, under an ogee canopy with crockets and an elaborate finial; in the second is a window of considerable size, canopied in the same manner, and filled with tracery of very graceful form; and the upper story includes a pair of narrower windows, beneath a double ogee with crockets and concluding finials. Both these fronts are entirely covered, save where arches occur, with panelled mullions under foliated transoms: and the whole is surmounted by an embattled parapet delicately pierced, and crowned with tapering pinnacles appropriately wrought.

The fabric stands upon a basement twenty-eight feet square, and its height to the summit of the pinnacles is 110 feet. From the Dineley Manuscript, *circ.* 1684—cited by Mr. E. J. Rudge as then in the possession of Sir T. E. Winnington, bart.[97]—we glean some

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supposes that the great bell continued till the Dissolution, and was then melted down toward forming the present peal.

[96] Dallaway's Observations on English Architecture, page 126.

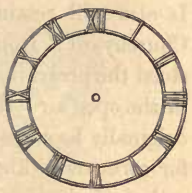
[97] Short Account of the History and Antiquities of Evesham. 12mo. Evesham, 1820, page 56.

Drawn by J.P. Neale, after a Sketch by George May. Engraved by J.C. Varrall.

The Bell Tower of Evesham Abbey.

Published by George May, Bookseller.

minute particulars respecting the dial and the bells with which this clock-tower was at that time furnished. "The tower of Clement Lichfield is built of freestone; its dial [apparently above the western front of the archway] besides the hour of the day, sheweth the age of the moon; on the other side of its arch, over it, is an anchor in an escutcheon with this circumscription, "*Qui gloriatur in Dno. glorietur.*" Some vestiges of the anchor and inscription are still discernible above the archway to the east. The bells were at that period six, and the then tenor was inscribed "*Eternis annis resonet campana Joannis.*" Of the present peal, eight in number, the seven first are inscribed with the date 1741; the eighth only being dated earlier, as cast in the mayoralty of Edward Cugley, A. D. 1631. The ancient and characteristic dial having given place to a modern clock with double front, we cannot but continue to urge upon the parishioners the propriety of removing that piece of carved absurdity which, without any manner of purpose, has long been placed above the western dial-plate, veiling the chaste tracery of the upper windows, and thus detracting from the aspect of the structure, in the same degree that a portrait of an individual would suffer by concealing the eyes. In fact no other dial-face, if any such be needed, should be suffered to appear in such a situation than one composed of two concentric iron circles, united by Roman numerals riveted upon both, or cast with them entire.



The uniform appearance of this structure, and the harmony of its design, annul a supposition which some have hazarded—that the work was either not completed by the founder, or else not carried up to the original elevation of his plan. A general survey will readily prove that any increase in its height would materially have impaired the present graceful outline of the whole. Indeed the only parts that apparently required perfecting when its founder resigned his dignity are a groined cieling within the archway, of which the imposts only are raised, and the upper portion of the newel staircase, now supplied by dangerous-looking ladders. In fact, of all this abbot's works, the bell-tower seems to have been an object of his highest pride. He recorded its erection on the painted glass inserted by him in the great east window of the abbey choir, and

repeated it upon the brasses of his tomb,—imploring in both instances the supplications of the faithful on that account.[98]

Dr. Nash asserts, that this tower "was purchased by the townsmen for their own uses, and thus escaped the general wreck of the dissolution."[99] The doctor's assertion appears, however, to rest upon a passage in Willis; where it has, confessedly, no better foundation than supposition.[100] But, in the absence of any known document to the contrary, the probability is, that it was *presented* to the townspeople by Sir Philip Hoby, or his heirs: it being assuredly included in that sweeping clause of the royal grant, which conveys to the said Philip "the house and site of the late dissolved monastery of Evesham; and *all* messuages, houses, pools, vineyards, orchards, gardens, land and soil, lying and being, as well within as without, and next and near the site, fence, compass, circuit and precinct of the same late monastery."[101]

The site of the conventual cemetery extends athwart the eminence now occupied as a bowling green and pasture ground; its public entrance being then, as now, the archway of the cemetery gate-tower. It also still retains its former popular appellation of "the Cross Churchyard;" from whence we may infer that within this enclosure stood the preaching-cross, where sermons were customarily delivered in the open air: the churches of monasteries and cathedrals having originally been restricted to ritual services. At Worcester, the place for sermons is known to have been the cross which stood in the cathedral close; and it was not till the destruction of that cross during the civil wars, that the place for sermons was appointed within the cathedral, and then it was situated at the bottom of the *nave;*[102] the introduction of preaching places into the choirs of our

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[98] "Orate pro anima Domini Clementis Lychfeld sacerdotis, cujus tempore turris Eueshamiæ ædificata est."—*Compare Wood's Athenæ Oxon.* i. p. 4; also *Abingdon's MS.* as cited in our account of abbot Lichfield's grave, given in chapter viii.

[99] Nash's History of Worcestershire, vol. i. page 410.

[100] "Except the beautiful tower, standing separately; the new erection of which *might* occasion the inhabitants, together with our abbot Lichfield, to plead its ransom, by purchasing it for their own use, when all the rest went down under the axes and hammers of the abhorrers of idols.'—*Willis's Mitred Abbeys,* vol. i. page 97.

[101] Office Copy of Letters Patent, dated 30th July, 34th Henry VIII.

[102] Green's History of Worcester Cathedral, page 141.

collegiate churches being wholly of modern date. At Canterbury, the public preaching-place was till lately the chapter room, still called "the Sermon House;" and at Bristol, within the writer's memory, the whole congregation used to remove into the nave at the conclusion of the service to hear the sermon.

There is yet another fragment pertaining to the once splĕndid church of Evesham, which—when such scanty vestiges remain—it would not be right to leave unnoticed. This is a large and richly sculptured marble lectern, or reading-stand, which a late writer in the Archæologia regards as that noted in one of the registers as made by Thomas de Marleberg, then sacristan;[103] which was placed in the aile at the back of the presbytery, where the tomb of St. Wulsin stood.[104] But from the extreme simplicity of the mitre, crosier, and costume of the principal figure, we are rather disposed to identify it with an earlier period, and to regard it as the lectern which another register informs us was made by abbot Adam, for

[Marble Lectern, from the Abbey.]

employment in the chapter-room.[105] This opinion will appropriate its construction to the reign of Henry II. instead of that of Henry the Third. It is formed from one solid block of English marble, of very considerable weight, and is about two feet six inches square on

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[103] Paper from Edward Rudge, esq. F.S.A. in vol. xvii.

[104] "De bonis operibus prioris Thomæ," in Cottonian MS. Vespasian B xxiv.

[105] "Et Lecticum Capituli ipse fecit."—*Acts of Abbot Adam, in De Gestis Abbatum, Harleian MS.* 3763.

its upper surface. The sides and back are elegantly sculptured with ramous foliage intermixed with heads of cherubim in high relief. The front is similarly adorned, but from its centre issues a half-length figure with tonsure and cassock, having the right hand uplifted in that peculiar form with which the Romish bishops accompanied their benediction, the left hand grasping the crosier or pastoral staff. The latter circumstance proves the figure to have been intended for a bishop. The only distinction between mitred abbots and prelates, in full array, having consisted in the position of the crosier; this being held by an abbot in his right hand, but by a prelate in his left. The editors of Dugdale's Monasticon, new edition, remark, from a paper in the Archæologia, that this figure must have been intended for bishop Ecgwin—because he "was the only abbot of Evesham who enjoyed that dignity."[106] The supposition which regards the figure is probably correct; the remark accompanying it is not so: because Ælfward, abbot of Evesham in Canute's reign, was also bishop of London, holding his abbacy *in commendam*.[107] The above curious relic lay for several years unregarded in an open yard, whence it was afterward purchased at an auction with other stone, after which it remained for some time unnoticed. It is now in the possession of Robert Blayney, esq. of the Lodge, near Evesham.

Having thus completed our survey of the church, we proceed to notice the remaining edifices of the convent. The monastic structure immediately adjoined the abbey church and cemetery; occupying, with its courts, gardens, fishponds, orchards, homestead, and park, the remaining portion of the peninsula; being bounded by the river on the east, west, and south, while at the north a strong and lofty wall, stretching entirely across, insulated the monastic domain from encroachment or intrusion. This wall, built by abbot Chyryton, may readily be traced from the Avon near the bridge to the ancient gateway near the present vicarage-house, and again from the almonry to the ferry. It is in several places nearly entire, often twelve feet high, and uniformly about three feet in thickness.

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[106] Dugdale's Monasticon, edition by Caley, Ellis, and Bandinel, vol. ii. page 5.

[107] See account of Abbot Ælfward, in chapter v. of the present volume.

In the governing charter of the borough it is distinctly noticed as "the abbey-park wall."

The monastery itself with its subordinate buildings extended east and west from the second fishpond [108] to the present horse-road beyond the almonry remains. The first or great quadrangle was entered through the grand gateway, which stood upon the site of the present abbey-house. Included in this quadrangle—which must have reached from thence about midway toward the chapter-house arch—was the private residence of the abbot; much of which was built by Henry Lathom, and which comprised a hall, parlour, chambers, and chapel. The grand gate-house itself was built by abbot Chyryton, was embattled and strengthened by a tower or turret at the south; it likewise included a chapel, as well as apartments for the watch. The second or cloistered quadrangle adjoined the former at the east. It had the nave of the church and one walk of the cloisters at the north; and on the east side, the chamberlain's residence, the chapter-house, and the library built over the eastern cloister by abbot Brokehampton. The south side was most probably occupied by the dormitory or sleeping-room for the monks, built over the southern cloister, uniform with the library over the eastern walk; the refectory or dining hall would then lie parallel with the south cloister on the ground floor, the kitchen, buttery and cellarage being, for convenience, also near. The outer quadrangle, called in the grant of Henry VIII. the almonry court, and there described as adjoining the gatehouse,[109] stood without the monastery, at the west; having the almonry apartments yet partly standing, on the north, and the granary built by abbot Adam, with "a range of buildings called the storehouse," on the east and south.[110] As the stabling and inferior offices would probably here adjoin the granary and storehouse, this quadrangle would at the same time be that which

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[108] "The lodging commonly called the chamberer's chamber, adjoining upon the abbots' pools, east."—*First Grant from Henry VIII. to Philip Hoby, esq.*

[109] "The buildings called 'almery,' adjoining to the gate at the coming unto the said late monastery on the north."—*First Grant to Philip Hoby, esq.*

[110] "All the range of buildings, called the storehouse, butting upon the *tower* of the abbey-gate north, and the garner south, and upon the almery west."—*First Grant of Henry VIII.*

we find occasionally referred to as "the basse-court of the monastery," and also as the barton-court. This court would therefore have been entered by that embattled gateway erected by abbot Chyryton in the Barton, described as looking toward the town.[111]

Of these extensive and multifarious erections, we now proceed to note their present scanty remains; from which alone, as the antiquary Grose has well observed in noticing this abbey, "we have every reason to conclude it of such magnitude, that out of Oxford and Cambridge there was not to be found so great an assemblage of religious buildings in the kingdom."[112] The grand gateway was standing at the time of Mr. Abingdon's visit, about the year 1640. He thus notices it—"Let us but guess what this monastery, now dissolved, was in former days, by the gatehouse yet remaining; which, though deformed with age, is as large and stately as any at this time in the kingdom."[113] As late as 1711, it is described in a deed of that date as "the abbey gatehouse with a way through the same;" having been at that time unfortunately leased by John Rudge, esq. for a term of 200 years to a person named Rogers, who was so far lacking in good taste, that dismantling this proud relic of the abbey he converted it into a dwelling, known as the abbey-house; which with the adjoining garden-ground was, in 1836, conveyed to Edward Rudge, esq. in fee, and was soon after divided into tenements. The extraordinary thickness of the walls of the building, together with its peculiar form, give reason to believe that, externally, a considerable portion of the original fabric, incorporated with more modern workmanship, still remains. During the removal of later outbuildings, in 1836, a portion of the southern wall, which had escaped the plaisterer and thus retained its original appearance, was exposed. This wall is formed of similar material to that constructed by abbot Chyryton as the park-wall, and is undoubtedly an undisturbed portion of the grand gate-house built by him. The northern wall, retaining an ancient window in its upper part, formed

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[111] "Et unam portam in Bertona versus villam, et bene desuper kernellatum."—*De Gestis Abbatum, Harleian MS.* 3763.

[112] Grose's Antiquities of England, vol. ii.

[113] MS. Survey of Worcestershire, in Library of Antiquarian Society, Somerset House.

most probably the northern side; the numerous traces of pointed arches that occur throughout the eastern wall, prove that portion to have constituted another part; and the remarkable square projection at the south-western quarter of the building, has decidedly an appearance of having originally formed the lower portion of that tower, which, from the royal grant—as cited on page 59—we find then flanked this gateway at the south. Within, however, every thing is modern; the original structure having been gutted throughout.

Respecting the popular error, so unsatisfactorily noticed by Mr. Tindal on page 140 of his work, that the grand gateway of this abbey now stands at Coughton, the seat of the family of Throckmorton—it is proper to observe, notwithstanding the decisive testimony of Mr. Abingdon already cited, that after minute examination of that gateway, the writer is convinced that the tradition has arisen from the mere circumstance of Sir George Throckmorton having held the office of high-steward to the monastery at the period of its suppression; about which time he happened to enlarge his mansion, whether with or without materials from the dismantled abbey, is of no account. The gateway itself is certainly an imposing structure, having been intended as the entrance to the then moated manor-house. But an experienced eye will instantly perceive the futility of supposing that the structure could have been erected, *in any* situation, prior to the reign of Henry the Eighth. As a description, it may be sufficient to remark that the building is about sixty feet high, square, strengthened at the angles by octangular turrets, and embattled throughout. Both fronts are divided into three compartments; the first is occupied by a lofty groined archway faced with obtusely pointed arches, bearing the arms of Throckmorton in the spandrils and at the crown; the upper stories include a spacious bay-window in each, partitioned by mullions, with their transoms plain. Between the windows, the arms and cognizances of Henry VIII. appear in stone.[114]

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[114] To refute another popular error, which has pronounced the richly stained glass in Coughton church to be the spoil of Evesham abbey—it is evident from Dugdale's Warwickshire that this splendid addition to the church was made, prior to the Dissolution, in compliance with the will of Robert Throckmorton, esq.—*Compare Dugdale's Warwickshire*, page 560.

North of the abbey gate, and in the stable-yard now adjoining, seems to have stood the Chapel of the Charnel-house, built in the fourteenth century and dedicated to the Virgin Mary by abbot De Bois; in which he placed her image, constructing also a chantry there, and appointing two chaplains to celebrate daily services in her honor, as well as masses for the souls of benefactors and others, mentioned by name.[115] As this chapel was distinct from either of the churches, being described as newly-erected in the cemetery and near the abbey gate, we consider it to have been built upon a crypt constructed for the reception of bones, of which an unusual number had probably been disturbed in the frequent interments caused by the fearful pestilence of 1348, which, as will hereafter be seen, ravaged this town and monastery. In the preceding century a similar structure had been completed near the monastery at Worcester, for a corresponding purpose.[116] In removing an oak-framed tenement in 1832 from the site at Evesham, the remains of a subterranean structure having the appearance of a charnel-house are understood to have been found.

Adjoining the remains of the gatehouse, toward the south-west, stands a considerable portion of the almonry, almost in its original state; distinguished by a low pine or gable next the street including a large square window with plain mullions of stone. The appearance of this unobtrusive range of olden building, seen through the vista of the neat and quiet street to which it is a termination, and under the light of an evening sun shooting its mellowed rays across the green in front of it, is fitted to remind us of the *poetic* peacefulness of earlier days. The effect was till lately much aug-

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[115] "De Sacerdotibus Celebrantibus in Capella ad Carnariam."—*Harleian MS.* 3763 folio 16; also *Tindal*, page 194. Among the benefactors named, are—Thomas earl of Warwick, Guido his son, Ralph earl of Stafford, Roger March, John Beauchamp son of Richard lord La Holt, and John de Guyting of Evesham. Of the last individual it is noted that he had "sustained much labor and expence in the erection of the said chapel."

[116] "He [Bp. de Bleis] built the chapel of the charnel-house between his cathedral church and palace, and under it he made a large crypt for the better depositing of the bones of the dead. He dedicated it to St. Thomas the Martyr, and ordained that mass should be daily said therein for the repose of his soul and of the souls of his predecessors and of all the faithful."—*Dr. Thomas's Account of Bishops of Worcester*, 4to. page 129.

mented by the rich hue of a stately walnut-tree that rose behind, canopying the old gable with its umbrageous arms, till a tempestuous wind destroyed the appropriate accompaniment. But it is in a projecting portion next the gardens that most of the original character is preserved. Here the basement story, which is stone-work, is in a considerable degree entire, although much of the upper part having shared the general destruction, is now supplied by timber-work and

[Remains of the Almonry—next the Gardens.]

plaistering. The lower apartment here is of considerable size, and was once wainscoted with oak; at the west is a characteristic fire-place, surmounted by a low pointed arch with carved spandrils, above which is a line of quaterfoils placed in squares, including the rose, portcullis, and other badges of Henry the Seventh. To the right of this fire-place, are considerable remains of what was once a very beautiful window, judging from the remains of tracery and a groined canopy in the head. The ceiling of the room is a modern addition, placed upon the old walls when broken down; so that we do not at present see its original height.

In the corridor adjoining, there is an ancient receptacle for a

cresset or lamp. It is formed of stone, with open sides surmounted by a spiral canopy, the style of which appropriates its construction to the thirteenth century. But here again, a modern ceiling placed upon the broken walls, has interfered with the original appearance. At the opposite end of this passage we find a considerable portion of another ancient apartment; which, from the enormous opening of its fire-place sustained by a huge transverse beam, may reasonably be supposed to have been employed in culinary preparation for the almonry guests, as well as for the poor and infirm among the townspeople. According to Mr. E. J. Rudge, a further portion of the almonry toward the east was taken down about the year 1786.[117]

Eastward of these remains stands a considerable portion of the garner, but covered with a modern roof and now converted into cottages; and near it are vestiges of the storehouse, which "abutted upon the tower of the abbey-gate north, and the garner south, and upon the almery west."[118] The boundary wall, which may be traced from below the almonry down to the bank of the river, and already noticed as the work of abbot Chyryton, completes the present vestiges of this once extensive abbey and its architectural accompaniments.

The stews that supplied the convent with fish during the frequent periods when its members were forbidden to partake of meat, were situated eastward of the cemetery. Three of these pools are still remaining. One is supplied with water from the spring that formerly flowed through an ancient fountain noticed in one of the conventual manuscripts as that of St. Ecgwin, and described as situated here.[119] Whether this fountain anciently received worship, we cannot say, but the 26th canon of archbishop Anselm, so late as the reign of Henry I. expressly forbad worship to be paid to fountains. The site of this well is visible upon the margin of the nearest pond. The farthest pool must have been very capacious, though now employed as an osier-bed. The embankments and sluices are throughout nearly entire. In these ponds were deposited the fish, principally eels, in which the occupiers of the different mills upon

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[117] Short Account of the History and Antiquities of Evesham, page 63.

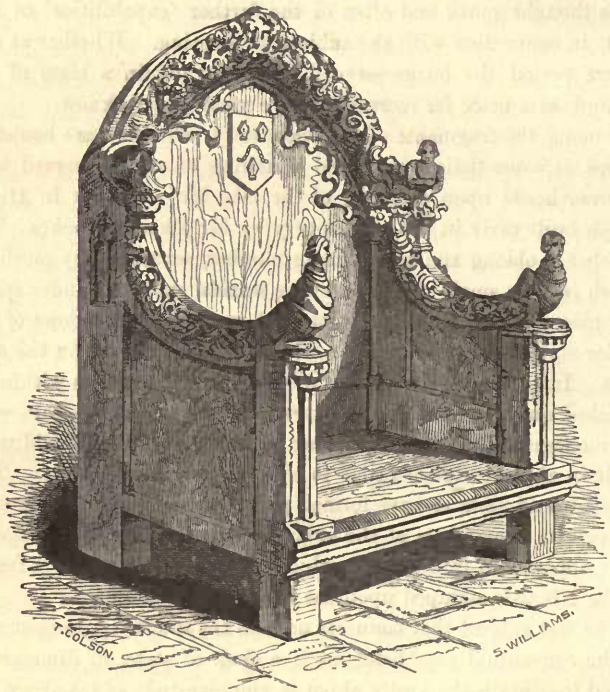
[118] First Grant to Philip Hoby esq. [119] Cottonian Register, Vespasian B xvii.

the river, belonging to the abbey, were bound to pay their rents. On viewing the singularly beautiful eminence above, known as the cross-churchyard, the spectator cannot but regret that these ponds are not so far preserved as to become—what they then immediately would be—additional ornaments in a plot of ground so eligible as a breathing-place to the numerous inmates who possess not the advantage of an open garden near their residence in the town. We have thought much and often of the further 'capabilities' of this spot, in connection with the subject of planting. Whether at any future period the burgesses will desire to obtain a lease of the ground, as a place for recreation,—we must wait to know.

Among the fragments of the monastery, which we are bound to notice, is some delicately carved panelling of oak, preserved in a summer-house upon premises of the late Mr. Lavender in High-street, built early in the last century by Mr. Thomas Cookes. The panels are oblong and are seven in number, separated by mullions which include small effigies carrying shields, standing under spiral canopies. Tracery in unison with that employed in windows of the Tudor style occurs in the head of each panel, and also in the sur-base. In the latter situation the central panel presents within an enriched quatrefoil the addition of a mitre and crosier in pale, with the monogram C. L. which at once identifies it with the additions made in abbot Lichfield's time to his church and monastery. The panels would seem to have formed part of a wainscot within one of the private apartments of the abbot, and the reader may judge of their appearance from the die which we have employed as a frame to the gilt title stamped upon the back of this volume.

The last subject that connects us with the internal arrangements of the conventual establishment is a chair of state, of dimensions suited to contain the lordly abbot in the plenitude of his array. It is of oak. The back arches above the head, the arm-pieces fall concavely, and the workmanship is nearly plain, excepting a rich band of vine-branches, interspersed with birds and quadrupeds, which forms a luxuriant border round the back and arms. On the latter two youthful figures emerge from out the foliage, like dryads "peeping forth from alleys green," and on the angles rise two chimeræ with ecclesiastical-looking heads. The height of this massy piece of furniture is 5 feet 6, and the width 3 feet 9 inches. The style

of decoration is precisely that of our collegiate stalls of the fourteenth century, with the exception of the shield bearing the arms of the abbey, within the back. Mr. Rudge, the proprietor, has reason to conclude that it originally occupied the chapter-room ; and though the carving is so peculiarly bold it is gratifying to add that it re-



[Conventual Chair.]

mains uninjured. After the dissolution, we learn that it became a fixture in the almonry, and in 1664 passed with the abbey site into the hands of Edward Rudge, esquire, citizen and alderman of London. Mr. Cookes the steward of the estate, to secure it from injury, removed it in the following century to his own residence, where it was afterward sold with the effects of Dr. Baylis his son-

in-law. Mr. Beaufoy the purchaser removed it to Lambeth, and from him it passed to Mr. Biddle of Wycomb, from whom it came to Sir Thomas Baring, bart. who in 1835 restored it to the original family by presenting it to Edward Rudge, esq. by whom it is now preserved in the hall of his mansion.

Thus brief are the existing vestiges of our once wide-spreading monastery. So limited, that as far as respects the edifice we may well regard the yet standing Entrance-Arch, which we have just delineated, as the most important of the whole. And as we gaze once more upon that archway—while the soft light of morning breaks through its rounded contour, amid the foliage of the garden—we thank the hand that originally preserved to us this *one* memorial of the cloistered pile ; and trust that in its present actual situation it will long remain—affected by no other agent than the gentle touch of Time.

CHAPTER IV.

BENEDICTINE USAGES—REGULATIONS OF THIS MONASTERY—CONVENTUAL AND OTHER ANCIENT SEALS.

IN the preceding chapter we have traced the various divisions of that important structure which with its dependencies originally formed great portion of the town. There, after completing a circuit of the church and its cloistral communication with the residence of the community, we have passed from quadrangle to quadrangle, surrounded by monastic halls and corridors and chambers,—and now we naturally turn from those voiceless memorials of a bygone system, to some consideration of the devoted inmates whom those walls enclosed. To them their convent was the world, and every trivial incident within it was readily magnified into a memorable event. Various were doubtless the inducements that attracted candidates toward its seclusion. Some would be drawn hither by the prospect of leisure for study and meditation; some would be selected while youths, by the brethren, as evincing peculiar aptitude for the duties of the cloister; and others would repair hither when wearied with the world, and sated with the emptiness of its once anticipated, but wrongly sought after, gratifications.

In unison with the Benedictine rule—to which this monastery was subservient, and from the Regulations of which we shall chiefly deduce the ensuing observations—one who applied for admission, was not to be immediately received. After waiting at the gate for several days, he might then be admitted to the guest-chamber, whence he was removed to the apartment for novices, where he remained two months. The rule of the order was then read before

him, and was thrice repeated during the term of his novitiate, which included twelve months. He then publicly professed in the church of the monastery before God and his saints, invoking the witness of the latter by the relics he at the same time embraced. Having read his profession, written with his own hand, he through the medium of the abbot deposited it upon the altar; then kneeling exclaimed, "O stablish me according to thy word, and let me not be disappointed of my hope." While he continued prostrate upon the steps of the altar, the prayers of the brethren were offered on his behalf; his secular garments were then removed, and he was vested in the habit of the order. At the conclusion of the ceremony the abbot greeted him with the kiss of peace, and being then led round the choir he received the like from each of the brethren. On the third day after, he presented himself before the abbot or whoever then celebrated mass; when, after again receiving from him the kiss of peace, he partook of the communion. He was afterward exhorted by the abbot to continue as he had begun, and then joined the convent.[120]

Each member of the community was obligated by his vow to observe through life, poverty, chastity, and obedience. The distinctive garment of the Benedictines was a long black gown of serge, having a hood or cowl. Their beds, collectively placed in a dormitory, severally consisted of a mat, straw, and a pillow. Upon these they laid, clothed and girded, covered also by a blanket and a piece of serge—while the feeble glimmering of a sickly lamp played on the emaciated features of each slumbering inmate. The brethren served during one week, by turns, in the kitchen and at the table. Their meals were only two, dinner and supper; consisting of pulse, bread, and herbs. These were taken in the refectory; each one eating his morsel apart in meditative silence, unbroken save by a solitary voice reading aloud from Scripture. Dinner was served at

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[120] The minuter details are here deduced from the chapter "De Professione Novitiorum," contained in a Manuscript originally belonging to this abbey, now in the Bodleian Library, numbered *Barlow* vii. *fol.* 61. In the remaining instances we are chiefly guided by the Douay edition of the Benedictine Rule; the Statutes of Reformation, A. D. 1249; the Statutes of pope Gregory IX. inserted by Stevens in his Appendix to Dugdale's Monasticon; and the remarks of Dr. Lingard, in the fourth chapter of his Antiquities of the Anglo-saxon Church.

noon, and supper at about seven in the evening. But on fast-days the former was their only meal, and it was then not eaten till three o'clock. Silence was to be so universally observed, that leave for speaking was seldom to be granted, even on sacred topics.

Their day may be considered to have been thus divided, unvarying from year to year. Eight hours were allotted to transcription, labour, and study; nearly that number was absorbed in the appointed services of their church; six hours were occupied in sleep; and the remaining two or three in staid and sober recreation. At two in the morning, they left their beds and congregated in the church for the *nocturnal*, called also *lauds*, the first liturgical service. That ended, they again retired. At six they rose for the day, proceeding then to *prime* or *matins*—the morning prayers. At nine they again assembled in the church for *tierce* or *thirds*, the service so named, after which the daily sacrifice or grand conventual mass was offered with all the imposing ceremonials adopted by the Church of Rome. From thence the fraternity proceeded along the cloister to the chapter-house, for exhortation, conventual business, discipline, and individual correction; as likewise for solemn observances occasioned by the death of any among their own community, or by tidings of the decease of other monks. At noon their fourth attendance in the church took place, for the observance of another service called *sexte* or *sixths;* after which they dined. At three they were again summoned to the church, for the service termed the *none*. At six *vespers* were sung in the same place; and at seven the concluding service, termed *compline*, was performed; after which they supped and retired to rest.[121] The monks, and especially the novices, were confessed in the eastern cloister, before the services of prime and tierce. The confessional was in that aisle of the cloister, near the door of the chapter-house; and the confessor was either the abbot in person, or some sage member of the order deputed by him to act in conjunction with one of the priors.[122] Every month there was a general confession of all the

[121] In the canons of Ælfric, Saxon archbishop of Canterbury in the reign of Ethelred II. the seven tide-songs are called—Ught-song, Matin-song, Prime-song, Undern-song, Mid-day-song, None-song, and Night-song.—*Henry's History of Great Britain*, book ii. chap. 2. sec. 5.

[122] De Sessione Abbatis in Claustro.—*Barlow MS.* folio 26.

members, from which none were excused; and on the first Sunday of each month they were to receive the communion. But if any desired to abstain from communicating, he was to submit his reason to the abbot or prior, who should decide the point.[123]

Such was the character of the almost mechanical observances to which a large mass of the population of our country once surrendered their mental and corporeal energies, in hope of thus securing a celestial and unending reward. And, Reader, "hadst thou and I then been, who knows but we ourselves had taken refuge from an evil Time, and fled to dwell here, and meditate on an Eternity, in such fashion as we could?"[124] But of the dubious tendency of reiterated formularies—that important feature in the system to which we here advert,—some faint conception may perhaps be formed by those accustomed to observe the disheartening operation of even a modified monotony in Protestant cathedrals; which, unalleviated by the shreds of Romish pageantry retained, 'fades in the mind and palls upon the sense.' The result is evidenced by the—any thing rather than devotional—demeanour engendered among those to whom the diurnal observances are *delegated* to an important extent.

From a Manuscript preserved in the Bodleian library, describing the Offices, according to the usage of this monastery, and to which we have already referred,[125] we are enabled to extract minute particulars respecting the performance of services in the abbey church. In a solemn procession thither, the junior members preceded the abbot, who occupied the centre of the line. In passing through the churchyards, they halted in that appropriated to the convent,[126] where the psalm De Profundis was repeated, and the absolution was given of all souls sleeping in Christ. Upon entering the church another pause ensued, while the absolution of all abbots resting there and of all the faithful departed, was pronounced. The monks then proceeded to the choir, while the abbot turning off to the

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[123] Statutes of pope Gregory IX. revised by Innocent IV.

[124] Carlyle's Past and Present, book ii. chap. 3.

[125] Officium Ecclesiasticum Abbatum, secundum usum Eveshamensis Monasterii.—*Barlow MS.* number vii.

[126] "Eat per *cœmiteria*, fiat statio in cœmiterio monachorum."—*MS. as above.*

right—along the southern aisle—repaired to his vestiary, where water in silver basins, with comb and towels, together with his ecclesiastical vestments, were placed.

If the service were vespers, and he was pleased to officiate, he was preceded from his vestiary by the chaunters and priors, and in that manner entered the presbytery,[127] the bells at the same time striking up a peal. Then standing in his stall—on the south side of the choir—he, when the bells had ceased, commenced the service with the 70th Psalm. When the psalms were finished he received the censer from a senior, who on delivering it humbly kissed his hand. His chaplains then presented him with the gospel, and this he read with his mitre on. At the commencement of the *Magnificat* he placed incense in the censer, being assisted by a chaplain and a prior; that done, they proceeded to the altar, chaunting. Here the abbot received the censer from his chaplain, who then supported his train while the abbot censed the altar, the shrines of Saints Ecgwin and Wistan, and Saint Wulsin's tomb.[128] Having returned to his stall, he pronounced the benediction at the close of the service, and retiring to his vestiary there unrobed. On those occasions when he celebrated mass, he upon entering the church repaired to his vestiary. Here taking off his mitre and cope, he put on the sandals and appurtenances; having then washed his hands, he vested himself in the tunic and dalmatica,[129] while his chaplains and servants in attendance sang certain psalms. He then proceeded to the presbytery accompanied by the chaplains and a prior, preceded by a deacon bearing the crosier, a subdeacon carrying the text,[130] and the other ministers. At the *Gloria* they advanced to the altar-steps, where the deacon delivered the crosier to the

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[127] "Ingrediens chorum superius."—*Barlow MS.* fol. 2.

[128] "Sicque incensetur altare a dextris et a sinistris, propterea feretrum S. Egwini, deinde feretrum S. Wistani, præterea tumba S. Wulsini."—*Barlow MS.* fol. 3.

[129] The tunic forms part of the sacerdotal under-dress, and is of thin light silk. The dalmatica is a large white garment with loose sleeves, worn over the other vestments.

[130] The text was a book of the gospels with an image of Jesus or the Virgin on the cover, which was kissed after the words "*pax vobiscum.*" The pax-bord was substituted at a later period.

abbot, and a chaplain taking off the mitre, the mass commenced. During this service the mitre was occasionally resumed, and again laid aside. After the communion the abbot washed his hands, put on his gloves and ring, resumed his mitre, and concluded mass in the usual manner. When vested for the altar, he wore the sandals in the seven great feasts, when distinctive psalms and antiphonars were sung.

Other manuscripts relating to this abbey enable us to present further information respecting the internal arrangements of the convent, the functions of its officers, and the appropriation of certain of its rents. The first is in the British Museum, is entitled the Institutes of Evesham Abbey, and was compiled about the year 1215.[131] The second is a similar but more concise document, including some additional particulars, and is preserved in the Augmentation Office at Westminster. This manuscript still retains the convent seal.[132] The third includes among various entries, notices respecting the duties of the principal officers of the establishment; and this also is preserved in the British Museum.[133] By these authorities we shall now be principally directed in the details that follow.

The Abbot, by his office a spiritual peer, was required constantly to reside within the limits of the convent of which he was supreme. His person, as representing that of Christ, was treated with peculiar reverence.[134] He commanded in all respects episcopal state and distinction, and was uniformly attended by his private chaplains. None were ever seated in his presence without his command, and nothing was ever received from or given to him by the brethren without humbly kissing his hand. No one even walked abreast with him, unless to the celebration of mass; he was always to be

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[131] Cottonian MS. Augustus II. Num. XI.—"Consuetudines Abbatia Evesham-ensis, prescripta à Randulpho Abbate."

[132] "De Consuetudinibus et Ordinationibus Officialium Seperalium in Abbatia de Evesham." *In Augmentation Office:* copied also in Dugdale, ii. page 23.

[133] Harleian MS. 3763.

[134] In the monastery he represents the person of Christ, being called by his title: as the apostle saith, "Ye have received the spirit of adoption, whereby we cry *abba* father."—*Rule of St. Benedict, from the Douay edition.*

accompanied by a chaplain, and after sun-down one of these invariably preceded him with a light, except while passing through the dormitory of the house.[135] His title is set forth in one of the

[Abbot of Evesham, temp. Henry VIII.]

royal grants as 'the Reverend Father in God the abbot of the monastery of our Lady Virgin and St. Ecgwin of Evesham.'[136]

It was the office of the Prior to assist the abbot in preserving the strictest discipline, and next to him he was treated with the greatest respect. When he passed along the choir or cloister, all the brethren rose who were near him, till he sat; in all other parts of the convent it was usual for them to continue standing while he

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[135] Harleian MS. 3763, folio 195.

[136] "The Reverend Father in God William Upton, abbott of the monastery of our Lady Virgin and Seynt Egwin, of Evesham."—*Grant to the Bailiffs of the Town, 22d Edward IV.* in Augmentation Office.—Our engraving above is from the tomb of Abbot Hawford, in Worcester Cathedral.

passed. To the office of prior belonged all obventions and fees under common seal, and all the tythes of Bengeworth both great and small, arising from land there belonging to the convent. These were appointed to purchase parchment for the manuscripts employed in transcription by the monks. To the same office belonged the hall at Bengeworth, with its crofts, meadow, vineyard, and garden; as also those messuages in the croft which stood round the hall; viz. from the house of Thomas Algar to the house of Walter Bellard.

The Second Prior, called also the sub-prior, prior of the cloister, and preserver of order, uniformly attended the first prior; in whose absence the punishment of offenders devolved upon this officer, except in serious cases. He was also particularly enjoined to preserve order among the brethren whilst in or about the cloister. To this office belonged one tenement with a court adjoining, situate in the High-street of Evesham on the western side, opposite to the gate by which vehicles entered the cemetery.[137] From this endowment the sub-prior was to furnish lamps in the cloister and certain corridors of the monastery, during the time of procession to the church. The Third Prior is mentioned in the Institutes as the fourth conventual officer. His duty seems principally to have consisted in acting as accessory to the sub-prior.

The Dean of the monastery held visitations at all the chapels in the vale. These were St. Lawrence Evesham, All Saints Evesham, Bengeworth, Midlittleton, Southlittleton, Offenham, Bretforton, Badsey, Churchhoneybourne, Norton, Hampton, and Wickhamford.[138] To this office belonged the fees of all causes pertaining to the deanery; also Peter's-pence, wheresoever such were not collected by the diocesan, from whence this deanery paid to the pope twenty shillings.

The Precentor directed the chaunts during service, and corrected any irregularity in the time or key. He also previously informed

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[137] "In alto vico Eveshamiæ, ex parte occidentali, ex opposito portæ per quam intrant carragia in cimiterium."—*Carta Johannis Abbatis*, A.D. 1450, *in Cott. MS.*

[138] Deanery of Evesham in the exempt jurisdiction of the Abbot and Convent, as given by the Commissioners in *Valor Ecclesiasticus*, 26 Henry VIII. [1534-5] vol. iii. page 255, *et seq.*

the abbot what chaunts he was to sing or lead off. Any others appointed to read or sing were to await and follow his leading off, unless it was previously arranged otherwise. He was likewise to have in charge the books belonging to the convent, provided he were qualified by sufficient study. He was to deliver them from the library—which was over the cloister—to such members as required them; but none were to receive any till it was entered on

[Monks studying in the Cloister.]

his list. The books were to be used only in the cloister, and he was to take care that none were left there through neglect.[139] A distinct apartment with a chamber over it and a stable near, were appropriated to his use. There pertained to this office the tythe of Stokes, with certain lands in Hampton and at Alcester. From this fund the precentor was bound to furnish parchment for briefs,

[139] The engraving introduced above, is copied from an illustration in the MS. Valerius Maximus, to which we have already referred in note 92.

charters, and leases; also ink, colours for illuminating manuscripts, materials for binding them, and requisites connected with the organs.[140] This officer, according to Mr. Green, had usually in his keeping the seal belonging to the abbot and chapter.[141]

The Sacristan and Subsacrist had in charge most of the altar furniture and ornaments, including vestments, incense, and wax. If the sacrist was in priest's or deacon's orders he washed the ampullæ and chalices, which was to be done weekly; and washed the corporals also, at least yearly before Easter.[142] The vessels employed in these ablutions were to be used for no other purpose, and the water was to be poured through the sacrarium, which conveyed away superfluities in the altar-service. The formation of the host or sacramental wafer—superstitiously regarded as destined to embody the actual presence of the Lord—was likewise entrusted to the sacrist's care. For this purpose every grain was to be examined, and then most carefully ground and boulted, after which the farina was to be wetted, kneaded and baked, with the utmost caution in reverential silence.[143] The sacristan also uncovered the altar, took away the text, and carrying a lamp or taper preceded the officiating priest in his way from the altar to the lectern, where on the great festivals he deposited the legenda, which he first took to the abbot that he might appoint the lessons for matins.[144] According to Mr. Green, this officer also administered baptism and likewise buried the dead.[145] The former, we presume, was only done by him in cases of emergency; for according to "the Evesham Office" the abbot in person administered baptism in the church.[146]

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[140] "Necessaria ad organa."—*Cottonian MS. Augustus II.* number 11.

[141] Green's History of Worcester, vol. i. page 122.

[142] The ampullæ or cruets held the wine and water, separately, previous to their admixture for consecration in the chalice. The corporal was the linen cloth which enveloped the wafer.

[143] Vide Instructions in Harleian MS. 3763, folio 201 b.

[144] The Lectern was the reading-stand where the epistle and gospel were sung, on which were also placed the Legendæ; one of which contained the Lessons for Morning Service, and the other the Lives of Saints.

[145] Green's History of Worcester, vol. i. page 122.

[146] Ordo Baptismatis, ubi oleo chrismate et de candela in manum dextram infantis baptizata posita,—in *Barlow MS.* vii. folio 175.

The tapers burned during the various offices in the church were provided by the sacristan in conjunction with the altar-keeper and seneschal. Certain of the conventual tenants were bound to yield their rents in wax; and great must have been the consumption, when of the tapers noticed as burning incessantly, three stood at the high altar, one before St. Ecgwin's shrine, a fifth before St. Wulsin's, a sixth at the altar of St. Mary in the aisles,[147] and a seventh before the altar of St. Mary in her chapel.[148] But daily during mass twenty-four additional tapers with thirty-three other lights were burned in the Lady Chapel only.[149]

The provision for defraying the expenses of the sacristan's office were proportionately large. Six chapels in the vale—now parish churches excepting one—Norton, Lenchwick, Moreton, Offenham, with All Saints and St. Lawrence at Evesham, belonged entirely to it. Also a hundred and thirty-one acres of demesne land at Bretforton and five virgates and a half of villanage land, together with the corn-tithe of forty-one virgates and a half in the same village,[150] and all its tithe of wool. At Lench there were three hides and a half of land belonging to the sacristy, together with all the great tithes; at South Littleton six acres, with all the tithe of nine virgates; at Badsey the tithes of five virgates; and at Pikesley in Herefordshire the tithes of demesne lands there. Yearly payments in money, and occasionally in wax, were also made to this office from the churches of Badby, Whitlaxford, Weston, Stowe, and St. Alban's Worcester; also from land in Salford, Worcester, and Hampton. In Evesham, there pertained to this office shops near the abbey-gate; numerous chief-rents and tenements in Merstowe, Bridge-street, High-street, and Cowl-street; with

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[147] "Ante altare sanctæ Mariæ in criptis."—*Destroyed Cottonian MS. Vitellius E* xvii. folio 239-40; copied in Dugdale, page 40.

[148] "Ante altare sanctæ Mariæ."—*Ibid.*

[149] Præter hæc ad missam sanctæ Mariæ debent accendi cotidie cerei xxiiii. Item ad eandem missam debent cotidie accendi lampades xxxiii.—*Cottonian MS. Vitellius E* xvii. folio 240; in Dugdale.

[150] The virgate varied from fifteen to even thirty acres; apparently according to the quality and culture of the soil. We may therefore fairly estimate the above at eighteen acres to each virgate, which will give a total of 747 acres.

payments from lands distinguished as near the bridge, and in the Rynal, as well as other parts more vaguely noticed; also rents of tenements described as being over shops situate near the gate of the cemetery; together with all oblations made at the high altar and at all the other altars in the church, excepting that in St. Mary's chapel.[151] The whole of the mustard seed raised at the different granges of the monastery belonged also to the sacristan.[152]

The Chamberlain provided the vestments, shoes, beds, and bedding; and was to employ a tailor to make up such garments as lay within his trade. To this office the manors of Maugresbury, Swell, and Taddlestrop were appropriated; and in 1319 William de Stow the sacristan assigned certain rents, from whence two shillings were to be paid yearly to each of the monks—excepting one of the priors and the chamberlain—for the purchase of winter boots.[153] The chamberlain had daily allowance for a servant, with provender for a horse, in the same manner as the servants belonging to the abbot.

To the office of Manciple or clerk of the kitchen belonged the chapelry of Bretforton; the third fishpool beyond St. Ecgwin's fountain; a weekly payment of five shillings and three halfpence, and a yearly payment at the beginning of Lent of four thousand salted fish, from the old vill and market-place of Evesham;[154] and four shillings weekly from the vill and market of Stowe. Considerable payments, as well in money as in sticks of eels, were also made from the occupiers of the several mills at Evesham, Hampton, Offenham, Folke, Twyford, Chadbury, Badsey, Wickham, Whitelaxford, Aldington, and Sandford. Extensive payments to this officer are further enumerated as due yearly from lands at Moreton, Whitelaxford, Ombresley, Gloucester, Winchcomb and Penwortham; from land in Brut-street at Evesham, and that of one Fitzwilliam

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151 "Omnes oblationes ad omnia altaria ecclesiæ, nisi in capella sanctæ Mariæ."—*Cottonian MS. Vespasian E* xvii. folio 244.

152 Tota sinapis omnibus grangiis.—*Ibid*, folio 240.

153 Caligas yemales.—*Cottonian MS. Nero* iii. folio 243; in Dugdale, page 32.

154 "Et vetus villa et forum de Eovesham, de quibus percipit coquinarius qualibet die sabbati quinque solidos et tres obolos, et annuatim in capite jejunii quator millia aletium."—*Cottonian MS.* Augustus II. number xi.

here ; and also from woods at Wodese. Sixty salmon from Penwortham in Lancashire, as well as two thousand salted fish, were to be paid yearly to the manciple, against the feast of St. Ecgwin, January 11th. These appear to have been carried upon horses through the whole distance ; as the hostilarius here, though bound to find provender for the horse of the prior from Penwortham, was released from furnishing provender for those horses "that bring the salmons."[155] Beside this, every carucate in the vale belonging to the lordship—excepting Aldington—paid annually to this officer three hundred eggs ; every manor likewise paid three denarii to furnish dishes, and each contributed also twelve cups.[156] The manciple was to be allowed provender from the convent for a horse ; and when he purchased fish at Evesham, bread and ale were to be given him for the fishermen ; when necessary he was also to be supplied with ale to be used in sauce ; and was to be allowed corn, upon the seven festivals, to be used in cakes and puddings.

The Cellarer, or house-steward, had the domestic affairs of the monastery in general under his charge. He was to furnish daily at the hands of the sub-cellarer seventy-two loaves in the refectory, with certain portions of ale and wine ; he also provided salt and fuel, with grain and oatmeal for pottage and gruel. To his office were assigned ten marks yearly from lands at Evesham, honey from Oldborough, and payments from Hildendune, Penwortham, and Sandford mill. A wood in Atchlench was also appropriated to him as pasture for his sheep, oxen, and pigs. From a manorial court roll of the reign of Henry VIII. in the possession of Fisher Tomes, esq. of Welford, we learn that the manors of Middle, North, and South Littleton, at that time pertained to this office ; John Newbold, Philip Hawford, George London, and Christopher Bradwey, successive cellarers of the abbey, being in several entries therein, set forth as the lords of those manors during the period between the years 1525 and 1539.

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155 "Nec invenire debet Hostilarius, nullo modo, præbendam equis Prioris portantibus Salmones."—*Harleian MS.* 3763, folio 205.

156 "De qualibet carucata terræ in valle Eoveshamiæ de dominico, excepta Aldintona, trescenta ova annuatim, et de quolibet manerio tres denarij ad discos, et duodecim ollæ."—*Cottonian MS.* Augustus II. number xi.

The Refectorer provided the spoons, cups, salt-sellars, and other utensils employed in the refectory, and furnished also twelve lamps there, with their oil. He had assigned to him the small tithes of Wickwane, Badsey, and Aldington; and perquisites in ale were secured to him, from whence he was to meet extra expenses caused by sick brethren or such as had been bled.

The Infirmarer had care of the sick members and of those who been bled. The latter were termed *minuti;* phlebotomy being much in vogue during the middle ages.[157] Those under charge of this officer were lodged in the infirmary of the convent, and every convenience was provided for them, as well within the monastery as beyond its limits. In the village of Badsey, abbot Chyryton provided a garden with suitable buildings for solace and recreation, to which they might retire by licence from the prior, and there receive their regular allowances of food.[158] Bevinton and its wood were appropriated to this officer, as well as payments from land at Sandford, Evesham, Penwortham, Farinton, and Sulleston. Two mills near Stowe, a fulling-mill at Bourton, and payments from the churches of Honeybourne, Ombresley, and Badby, were also allotted to the infirmarer. This officer was allowed provender for a horse, and fuel to heat water for washing the napkins that had been used in bleeding the monks.

The Hostilarius received and accommodated visitors and guests. He was to conduct such strangers into the convent, as had frequented the church for devotion, and afterward desired to view the offices. These he was to lead thither through the cloister. But if booted and spurred, or even barefoot or bare-legged, he was on no account to admit them thither.[159] Another part of his office was to observe the conduct of those brethren who had leave to go beyond the precincts of the monastery. Those who were allowed to remain out at night, he was to furnish with hay and corn for their horses,

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[157] Fosbroke's British Monachism, vol. ii. page 153.

[158] Carta Willielmi Abbatis Eveshamiæ.—*Cottonian MS. Vitellius E.* xvii. folio 236; in Dugdale, page 36.

[159] "Nec aliquem ocreatum vel calcaria habentem, nec aliquem qui nudis pedibus sit, vel solum femoralibus calciatus, in claustrum pro qualibet causa inducat."—*Harleian MS.* 3763, folio 205.

on going and upon return. When the prior of the cell of Penwortham visited the abbey, the horse which he rode and that which carried his bed—if he travelled with such—as well as the horse of his companion and principal servant, were to be provided with corn and hay on arriving and departing, together with an allowance for two nights on their journey to Penwortham. The small tithes of the three Littletons were appropriated to this office, to provide towels, basons, and cups, in the apartment appropriated to the accommodation of strangers.

It was the duty of the Almoner to relieve the infirm, the afflicted and the poor. For this purpose he was sedulously to ascertain where such resided, kindly and charitably to condole with them, and to furnish them with the best of what might be required. During his visits he was attended by two servants, and before his entering a dwelling the female inmates were to remove. Where the sufferer was of the latter sex, he was to send whatever was required. The monks' garden here was placed at the command of the almoner that from thence he might obtain herbs for broth and pottage, for the poor. He was also to receive from the abbot upon Maunday Thursday half a mark, which he was to distribute among the monks, that they might by this means be enabled to relieve the poor.[160] To this office belonged two bakehouses in Evesham, one in Bengeworth, and all the bakehouses in the vale; also certain rents from lands in Evesham, Penwortham, Cranforth, and Gloucester; payments from Ombresley church, Aldington mill and crofts, and from that village ninety eggs, together with the tenth part of all bread in Evesham baked below the abbey-gate.

In the present day some of our readers may be surprised to learn that the townspeople were not permitted to grind corn but at the mill of the abbot, as lord of the fee,—nor to bake, but in the ovens of his almonry. All attempts to evade this restriction were promptly repressed; for in 1307 one William de Tettebury having erected an oven in his own house, here, the abbey seneschal in conjunction with the town-bailiffs—Richard de Somborne and Richard Prudhome—threw it down. In 1388 the querns or hand-mills which other tenants had constructed here were also destroyed; and in

[160] Fosbroke's British Monachism, edition 1843, page 130.

1430 a horse-mill erected by William Botreaux *armiger*, in a house of his called "Lardeneres" was, before it had been used, likewise thrown down. Mr. Botreaux, considering himself aggrieved, seems to have appealed against the abbot at the next leet-court, but this, as might be expected, was without effect.[161]

Beside the officers already noticed, there was a Seneschal or steward, who was a layman of rank, and acted as the abbot's law-agent. The Porter, or gate-keeper of the monastery, was another lay officer. This appointment, though an important trust, was at Evesham held in fee; the reversion of it having been sold during the abbacy of William de Bois, as stated in our fifth chapter. Another officer, but appointed from among the monks, had charge of the fabric of the church, cloister, and dormitory; and another was appointed keeper of the vineyard and garden. The vineyard, already noticed on page 18, was situated upon the shelving eminence above the river, at the foot of the abbey park; it was planted by Walter, the first Norman abbot, and is noticed in Domesday as "the new vineyard."[162] In that survey there are at least thirty-seven other entries of vineyards; though it was till recently doubted whether vines could be thus openly cultivated in England. One of the latest instances of such cultivation is thus noticed by the late Mr. Cobbett.—"I remember seeing, when I was a boy, a beautiful vineyard, in extent, I should think, of two or three acres, in the grounds of the estate called Painshill at Cobham in Surrey. The vines were there planted in rows and tied to stakes, in just the same manner as in the

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[161] At the view of frankpledge held here at Michaelmas, 1431, "inquisition was taken in full court relative to the before-mentioned custom, on the verdict of twelve law-worthy jurors of the said town, by the assent and consent of all the suitors of the court." The verdict was, that the said William Botreaux erected his mill against the custom and right of the abbot, "because the aforesaid William, and all his tenants in the town, ought and are obliged to grind and bake at the mill of the lord abbot and his successors, and at the ovens of the almoner of the abbot for the time. And further, that the said William, his tenants or servants, or any other inhabitant of the town had not by virtue of the tenures of any of their houses in the said town [virtute tenurarum omnium domorum suarum, vel unius eorum in villa prædicta] any right, privilege or possession against the custom before-mentioned, nor in future could or ought to have, but should thereupon be for ever expelled and exiled."—*Memorandum ex antiqua consuetudine," etc.* in Cottonian MS. Titus C ix. folio 11.

[162] "Et vinea novella ibi."—Survey of abbey land at Hampton, in *Domesday Book.*

vineyards in France; and, at the time when I saw that vineyard, the vines were well loaded with a black coloured grape." [163]

The Institutes of abbot Randulph conclude with reciting some customs of this monastery from whence we glean the following. During Lent the monks were allowed twelve quarters of beans from Honeybourne, to make pottage; and from the same village the like measure of oats, for gruel on the Wednesdays and Fridays in Lent. [164] Upon each of the great festivals, wheat was allowed from the granary to improve their fare, and a measure of beer was then given at dinner to each. The prior who, in the absence of the abbot, sat at the upper table in the refectory as preserver of order, was to have bread as provided for the abbot himself, and one cup of the abbot's wine. The priest who had celebrated high mass for the day, as well as the reader, seem also to have been seated on the dais, and to have fared in the like manner. [165] Those who had been bled had one measure of ale at dinner and another at supper. The servant who bled them was also to have bread and ale if he had bled more than one. During the weeks in Advent, and before Easter, when the monks bathed, the bath-keepers were allowed bread and ale; and as often as the table-cloths of the refectory were washed, each washer received a loaf from the buttery.—Much has been written, perhaps often inconsiderately, respecting the joviality of monastic cheer,—but painfully do these prescribed gratuities depict a practised abstinence, which seizes every occasion to increase its dole of food, without the dread of violating the presumed injunctions of religion.

Upon the death of an abbot his daily allowance was continued during a whole year after his decease, and on the death of a monk during thirty days; such being appropriated to the use of the poor,

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[163] Cobbett's English Gardener, page 205.

[164] "Percipiant monachi xii. summas fabæ de Huniburne, ad usum pulmentum per totatam quadragesimam; et de avena xii., summas de eadem villa, ad gruellum faciendum, scilicet quarta et sexta feria per totam quadragesimam".—*Cottonian MS.* Augustus II. number xi.

[165] The dais was an elevated platform, usually ascended by one step, where the most important guests were placed at table. The dais in the refectory at St. Albans was—according to Fosbroke—raised no fewer than fifteen steps above the floor of the hall.—*British Monachism*, 8vo. vol. ii. page 123.

for the benefit of the soul of the departed.[166] Throughout the latter period—thirty days—the grave of the deceased was in this manner daily visited here by the surviving brethren :—After morning mass the officiating priest stood before the crucifix in the vestiary, attended by the deacon bearing holy-water, the convent standing round. Then—while every one knelt before the altar "with consummate devotion"—suitable prayers were offered thrice; after which they all proceeded to the grave, chaunting. Here the priest aspersed the grave with holy-water, and after giving the absolution, repeating the prayer for all the faithful deceased and other forms, they all returned to the church. On the last of these thirty days, the prior, accompanied by the convent, entered the choir after chapter, and there he, in amice, stole and robe, with cross, tapers, censer, and holy-water, began with the brethren the *Miserere*.[167]—and thus the last link of connection may be said to have been broken between the living members of the convent and the deceased.

Of the common seal employed by the abbot and convent of Evesham in the capacity of an ecclesiastical corporation, perfect impressions have been extremely rare; especially of the obverse side. This may perhaps account for the variations that occur in different engravings of the latter, as likewise for the varied interpretations which different decipherers have deduced from its erroneously copied inscription. But the matrix of this side, which was of copper, having at a later period been discovered among metal destined for the melting-pot at Worcester, our observations will be directed by that. A cast taken from it by Mr. C. W. Osborne of Evesham, having been kindly presented to the writer by him. From this we have completed the engraving upon the opposite page, which is of the exact size of the original; and this we have reason to regard as the most correct graphical representation that has as yet appeared.

Here, within a label embowed as a horse-lock, Eoves is represented in the midst of a forest surrounded by his swine; the label being charged with this inscription— EOVESHE· VENTIE· HIT· WHSSWJJJ CORVMEN: CLEPET VISCOVISHOM.

[166] "Ad annale pro abbate, et tricennale pro monacho."—*Cott. MS.* Augustus II.

[167] Offices of the Evesham Church.—*Barlow MS.* vii. in Bodleian Library.

Various and contradictory have been all attempts satisfactorily to explain this legend. We shall, therefore, only say that it appears to convey the information that, in consequence of the vision seen here by Eoves, the place was thenceforth called Eovesham. Above the label is a rude representation of a church ; to the left of which, beneath trefoil canopies, stand the Virgin and two attendants ; the

SIGILLVM · SANCTE · MARIE · ET · SANCTI · ECGWINI · EPI · EOVESHAMENSIS · MONASTERII
ECCE LOC
QVE ELEGI
COVESH EVENTIE · MIRVM · VISSVM
COMITEM CLEPET VISCOVS HOM
EPI · ECGWINI

[Obverse of Conventual Seal.]

former of whom thus addresses the mitred and genuflected Ecgwin on the right—ECCE. LOC. QUE. ELEGI.[168] In the space behind the last figure, the bishop is represented as communicating his vision to Ethelred : and this circumscription completes the obverse—SIGILLVM . SANCTE. MARIE . ET. SANCTI . ECGWINI. EPI . EOVESHAMENSIS. MONASTERII.[169] The reverse has, in the upper part, upon the left,

[168] Behold the place which I have chosen.

[169] The seal of the Monastery of the holy Mary and of Ecgwin saint and bishop, at Evesham.

the Virgin and Child seated, beneath a cinquefoil pediment, while before them kneels St. Ecgwin, presenting a model of his church. Beneath this, a line of pediments extends across the seal, forming canopies to the figures beneath : here Ecgwin attended by a monk receives a grant from Ethelred, behind whom are placed Offa and Cenred, one bearing a sceptre, the other sustaining a falcon. The grant itself is inscribed DAMVS REGIE LIBERTATI,[170] and appended to it is an oval seal charged with the *three* lions of England ; a proof that the seal itself was not constructed before the reign of Richard I. who first bore the three lions *passant*. This inscription completes the reverse—DICTIS ECGWINI DANT REGES MVNERA TRINI OMNIBVS VNDE PIE NITET AULA SACRA MARIE.[171] The circular form of this seal tends to corroborate a remark cited by the late Mr. Fosbroke, that "seals of a round form generally denoted something of royalty in the possessor, or a more than ordinary extent of temporal jurisdiction ; thus monasteries of royal foundation had commonly round seals."[172] Three fine impressions of this seal in the ancient wax are at present in the possession of Edward Rudge, esq. One of these is singularly perfect, is attached to a lease of Tatylstrop manor, made by abbot Hawford in the thirtieth of Henry VIII. and presents both sides of the seal entire.

A seal of abbot Lichfield's is engraved in the Monasticon,[173] from an impression in wax preserved in the chapter-room at Westminster. This is evidently one of those appropriated to each abbot individually, the matrix of which was destroyed at his decease, and is in the ecclesiastically-oval form. In the centre stand the Virgin and Child within a tabernacled recess, and upon each side, within a smaller niche, is placed a figure episcopally vested. Beneath the central niche is a smaller figure, similarly attired, between two shields, respectively charged with the arms of England and of the abbey. The inscription round the edge is—S. CLEMENTIS DEI GRATIA ABBATIS EVESHAME. The same size, form, and

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[170] We give with royal munificence.

[171] At Ecgwin's request three kings bestow gifts, from all which the Convent of St. Mary prospers.

[172] British Monachism, edition 1843, chapter 38.

[173] Seals of Monasteries of the Benedictine Order, plate ix. New Monasticon, vol. ii.

device, appear in a similar seal of abbot Roger's, in the reign of Richard II. of which Mr. Rudge possesses a very distinct impression.

Ancient seals belonging to individuals have occasionally been found near the site of the abbey. Among them is one, presumed to be that of a monk of the fourteenth century, inscribed RINALDO NATU LVCY FAC VGO PLAC; explained as "Rinaldo natum Lucy fac Virgo placatum:" *O Virgin make thy Son propitious to Rinald Lucy.*[174] Another is inscribed S' I DE THROKEMERTON, *the Seal of John De Throckmorton,*—doubtless an ancestor of the Throckmortons of Coughton, some of whom held offices connected with this monastery. A third seal was inscribed "HEMERIT VA'DER MANDERT," of which no interpretation has been given. These, with the exception of the last, are in the possession of Edward Rudge, esq.

A hawk's ring was some years back dug up among the foundations in the cemetery, inscribed BENEIT SEIT RIMEPORT, *Blessed be Rimeport;*[175] which is also preserved in Mr. Rudge's cabinet. The same gentleman likewise possesses a bloodstone, about the size of a pigeon's egg, upon which is cut in high relief the figure of an angel clad in plate armour. This was discovered near the foundations of the abbey church, and appears to us to have been the jewel once set in the back of an abbatial glove; as its size and shape correspond with that decoration, as seen in ancient effigies.

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[174] Gentleman's Magazine, vol. lv. page 452.

[175] Short Account of the History and Antiquities of Evesham, page 133.

CHAPTER V.

BIOGRAPHICAL NOTICES OF ABBOTS—AND INCIDENTAL HISTORY OF THE ABBEY.

1.—ECGWIN, or Egwin, founder of the monastery and town of Evesham, was third bishop of Worcester, to which office he was consecrated in the year 693, being only about thirteen years after the formation of the diocese of the Wiccii. Stevens, in his Catalogue of learned Benedictines, says that he was son to the king of Mercia;[176] and his Life which is ascribed to Brithwald, archbishop of Canterbury—evidently a very early production, although the correctness of its ascription to the archbishop's time is disputed by bishop Tanner—is preserved among the Cotton manuscripts in the national Museum. His name is enrolled in the Romish calendar as both saint and bishop, and the day appointed for his commemoration is January 11. According to the monastic historians he was a kind and benevolent man, and we presume not altogether the visionary which they would fain represent him. Their details of visions and miracles were, we apprehend, rarely contemporary with the person to whom such were attributed; but being first admitted as legendary, were afterward recorded as facts.

De Cressy in his Church History[177] states that the bishop was forced to leave the country, by reason of the calumnies raised against him by those whose ill-will he had excited, in opposing noxious customs which the people, then newly converted from paganism, refused

[176] Stevens' Additions to Dugdale's Monasticon, vol. i. page 191.

[177] Church History of Brittany by Hugh Paulin de Cressy, Rouen, 1668; p. 527.

to forsake. John of Tynemouth in like manner places his character for piety and sincerity in a favourable light; and adds, that the people finding him a check to their dissolute manners, expelled him from the bishoprick, and complained against him to the pope:[178] in consequence of which he went to Rome, to appeal in person to the pontiff. To this journey his monkish biographers have, as usual, appended a silly tale; which may possibly have originated in the literal construction of some rhetorical account of the procedure as recorded by a contemporary writer. Here we are told that, though conscious of his present rectitude, yet in atonement for the sins of his people as well as his own youthful sallies, he bound himself with chains, locked them together, and threw the key into the Avon. Thus manacled, he commenced his pilgrimage to Rome; declaring that when his bonds should be loosed by divine interposition, then only should he be assured that his offences were forgiven. When he at length arrived at Rome the bells of the eternal city greeted him with a miraculous peal, and while he attended mass in St. Peter's, his servant having purchased a fish for their meal, found in it the identical key which his master had cast into the Avon. With this the pontiff himself unlocked his fetters, and the result was the bishop's triumphant return to the recovered esteem of king Cenred, and the veneration of the whole people.[179] The plain English of the legend must be considered to be that Ecgwin's appeal to the Roman college was attended with the desired success. The year of this, his first, journey to Rome is not any where given: but his miraculous liberation was throughout the middle ages emblazoned in the armorial bearings of this monastery, which were—azure, a chain in chevron with a bolt in the dexter and a horse-lock in the sinister, between three mitres labelled, or. We here present them, copied from a fragment of ancient carving in oak, removed from an old tenement in Vine-street, at present known as the Horse and Groom Inn. The relic—enfolded in the still

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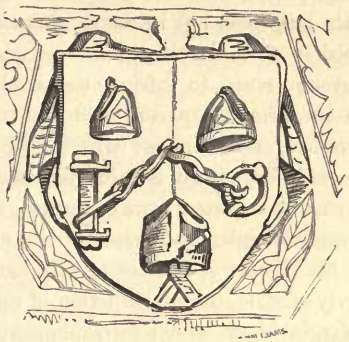
178 "Populus tandèm videns se illicitam non licere, et assueta vitia relinquere, contra sanctum Dei in iram, odium, et scandalum exarsit, et eum tandèm de episcopatu expulit. De eo nempè non solùm apud regem accusatio, set etiàm apud Romanum antistitem ab inimicis prolata fuerat delatio."—*Hist. Aurea, MS. c.* 199.

179 De Cressy's Church History of Brittany, page 528.

graceful arms of a mutilated though angelic bearer—is now preserved from further injury within a summer-house in the garden of Mr. Anthony New, in the same street.



[Arms of Evesham Monastery.]

The ill-will which his people had shown toward him would naturally increase in the mind of Ecgwin any previous inclination he might have felt to retire from his episcopate; and the superintendence of a convent upon the lonely holme of Eoves having once glanced across his mind, there would be no difficulty at this period, to one in his elevated situation, in shaping circumstances to the desired event. In the year 708 we therefore find bishop Ecgwin again journeying toward Rome, where he arrived in 710. But he now travels accompanied by kings. One is his own sovereign, Cenred of Mercia; the other is Offa king of Essex. Ecgwin proceeds thither to resign his bishoprick to the pope, and to be recognized by him as the first abbot of Evesham: the newly-converted princes have been taught that christian duty calls upon them to retire from active life; and they are hastening to the pontiff, that they may receive his sacred warrant to betake themselves to the cloister.[180]

[180] This is the tone in which even the venerable Bede, who wrote at the time, complacently applauds the abdication of Cenred and Offa.—"In the fourth year of the reign of Osred, Coinred, who had for some time nobly governed the kingdom of the Mercians, did a much more noble act, by quitting the throne of his kingdom, and going to Rome; where being shorn, when Constantine was pope, and made a monk at the relics of the apostles, he continued to his last hour in prayers, fasting and almsdeeds. . . . . With him went the son of Sigher, king of the East Saxons, whose name

Both these kings had lavishly endowed the bishop's new foundation, and Ecgwin seems to have been anxious to secure pope Constantine's confirmation of his recent acquisitions. This he, according to the cartulary, obtained during the same year. The document is there given in the Latin language, but in Saxon characters, addressed to Brithwald archbishop of Canterbury, and concludes by denouncing all who should ever presume to infringe the regal donation.[181] At Ecgwin's return the archbishop convened a synod at Aln-cestre, distant from Evesham seven miles; where a Mercian palace had stood, and where also Ecgwin, it is said, had usually exhorted the people. In this synod his charters were confirmed, and Wilfred archbishop of York was appointed to consecrate the new foundation.[182]

Mr. Green, in his History of Worcester, attributes to St. Ecgwin, upon the authority of Bale, the introduction of image-worship into Britain. The Virgin Mary, at her miraculous visit to the bishop, not only having required him to erect a church at Evesham to her honor, but likewise to prepare an image of herself, which was to be erected for worship at Worcester. Upon similar authority it is further stated that at a later period—about the year 708—a council was held in London, under archbishop Brithwald, and authorized by pope Constantine, wherein images were ordered to be erected in churches and to be honored with masses and worship.[183] We learn from bishop Tanner, that Ecgwin was author of the following pieces. 1. De suis Apparitionibus. 2. De Primordiis sui Cœnobii. 3. De Vita S. Aldhelm. 4. De Vitis variorum Sanctorum.[184] He died, according to his chroniclers, on the 30th of

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was Offa, a youth of most lovely age and beauty, and most earnestly desired by all his nation to be their king. He, with like devotion, quitted his wife, lands, kindred and country, for Christ and for the gospel, that he might receive an hundred-fold in this life, and in the world to come life everlasting. He also, when they came to the holy places at Rome, receiving the tonsure, and adopting a monastic life, attained the long wished-for sight of the blessed apostles in heaven."—*Bede's Ecclesiastical History of the English Nation*, by Giles, book v. chap. xix.

[181] Cottonian MS. Vespasian B xxiv. folio 72; copied in Dugdale ii. 14, and given in Roman type in Tindal, 152. The autograph was in the Arundel Library, but does not appear in the Catalogue of that portion, now in the British Museum.

[182] De Cressy's Church History of Brittany, page 528.

[183] Green's History of Worcester, vol. i. page 95.

[184] Tanner's Bibliotheca Brittanico-Hibernica, page 256.

December, 717, and was buried in the church pertaining to his monastery. The Romish calendar having marked the 11th of January as his day of saintly celebration, Mr. Butler supposes the latter to have been the day on which his body was translated, in the year 1183.[185] His epitaph, preserved by Leland, is as follows :

> " Rupe sub hac vili tegitur vir summus, et urna
> Clauditur angusta, quem, subvehit alta per orbem
> Veri fama volans. Genus hic spectabile duxit
> Et mores habuit præclaros, magnaque gessit.
> Ecclesiam fecit quam nunc dicunt Eovesham.
> Ditavit terris et multa nobilitavit
> Libertate locum, qui regni jura tenebat.
> Omnimodam scripsit : subscripsit curia regni.
> Et qui Romanam sedem tunc papa regebat,
> Confirmavit eam, proprio testante sigillo.
> Vita migravit cum solis per Capricornum,
> Tertius ac decimus moderans existeret ortus." [186]

The Harleian Chronicle[187] presents us with the bare names of eighteen abbots, the immediate successors of St. Ecgwin, who faithfully retained the possessions bequeathed them by the founder. They are as follow :—2. Athelwold, successor to Ecgwin ; 3. Aldbore ; 4. Aldbath ; 5. Aldfert ; 6. Tyldbrith ; 7. Cutulf ; 8. Aldmund ; 9. Credan, whom we must regard as the saint of that name whose relics we have noticed on page 50 ; 10. Tinthferth ; 11. Aldbald ; 12. Etbrith ; 13. Elferd ; 14. Wefard ; 15. Kynelm ; 16. Kynach ; 17. Ebba ; 18. Kynath ; 19. Edwin.

After Edwin's death, possession of the abbey—as particularized in a former chapter—fluctuated among monks, bishops, and chieftains, till the year 960 ; when Dunstan, champion of the Benedictine rule, appointed

20. Osward, abbot of Evesham ; from whom the monastery passed into the hands of laymen and seculars. One of these, a chieftain named Achelm, repenting of his acquisition, is said to have appointed a monk named

21. Freodegar, abbot of this monastery. He, however, unable to expel the secular clerks, retired from the supremacy. After this,

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[185] Butler's Lives of the Fathers, Martyrs, and other principal Saints, i. p. 48.

[186] Lelandi Collectanea, ed. 1770, vol. i. pt. ii. p. 300.

[187] Chronica Abbathiæ Eveshamensis.—*Harleian MS.* number 229.

Adulf bishop of Worcester, obtained the abbey from Ethelred,—as observed on page 28,—constituting

22. Ælfric abbot thereof, subject to the episcopal jurisdiction of his see. The remains of this abbot seem to have been disturbed in excavating the foundation of the northern transept of the abbey church in the year 1821. A stone coffin having been found beneath the floor, at the spot marked *a* in the ground-plan, opposite page 44—enclosing another coffin of lead, in which were portions of a skull and other bones in a disordered condition.[188] Among these was a plate of lead, six inches by four, upon which this inscription was lightly cut, not in Norman characters, but in plain Roman capitals:—HIC. REQVIEscIT. DOMNVS. ABBAS. ÆLFRICVS. HUIUS. LOCI. ANIMA. SUA. REQVIESCAT. IN. PACE. AMEN.[189] The dislocated state of these remains and the evidently later introduction of the inscribed plate, may perhaps be accounted for by a removal of some older coffins within the church, when the structure was rebuilt by abbot Walter. Though it is possible that during the general overthrow at the Dissolution, some pious hands may have rescued the disturbed relics of this abbot, restoring them to their violated enclosure, and depositing at the same time therein this hastily-inscribed memorial.

23. Alfgar was Ælfric's successor: next to whom was

24. Brithmar, who by decision of the wittenagemote[190] rescued forty hides of land, the property of the church, from Godwin, the thane noticed in our second chapter. But prior to such decision it had been agreed that three hundred mancuses of gold should be paid to the chieftain, for which sum he had himself purchased the land from king Ethelred.

25. Agelwin, bishop of Wells, was the next abbot. Upon his death the rapacious Godwin, notwithstanding his recent bargain, again took possession of the disputed hides of land. But Ethelred having, in 1014, appointed as the next abbot

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[188] Memoir on Antiquities discovered by Edward Rudge, esq. in *Vetusta Monumenta*, vol. v. page 8.

[189] "Here resteth Ælfric, lord abbot of this place: may his soul repose in peace. Amen."—The smaller capitals in the text supply those abraded in the original.

[190] "Coram mûltis principibus hujus patriæ."—*Cottonian MS.* Vespasian B xv.

26. Ælfward, a monk from Ramsey, he by that king's assistance succeeded in finally expelling Godwin from the monastic territory. This abbot, who appears to have been a Dane by birth, was upon the accession of Canute consecrated to the bishopric of London, on account of his consanguinity to the king;[191] but retained at the same time his previous abbacy. The Benedictine monks being now firmly established in this monastery, their next attempt was to free themselves from the control of episcopal visitation. In this they were so far successful as to procure the promotion of Avikin or Eafy, their prior, to the office of Dean of the Vale; in which capacity he held visitations of churches within the conventual vicinity.[192] During this abbacy Canute presented the relics of the blessed Wystan to the monastery, which were honorably enshrined within the chancel. After this, the abbot himself purchased the body of another holy personage—St. Odulph, which was in like manner deposited in the ecclesiastical sanctuary. The purchase is said to have been made at considerable cost; and we are at the same time ingenuously informed that the bargain was made with a company of dealers in such holy wares, who were carrying the bones for sale toward London.[193] A channel for speculation by no means unemployed during the middle ages. According to Bale, this same Odulph's claim to saintship is chiefly sustained by his having upon one occasion been carried over the sea in a moment, to say mass during the absence of another bishop.[194] Ælfward having satisfactorily ruled this monastery during thirty years, finding himself then overtaken by infirmity, was anxious to retire from his office, and yet still reside in the monastery. But the monks from some cause objecting to the proposal, he removed his books and valuables, and withdrew to his original monastery at Ramsey; and

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[191] Sub consanguineo suo rege C'nutone.—*Acts of the Abbots, Harl. MS.* 3763.

[192] The Saxon Chronicle thus records the death of this individual—"In the same year [1037] died Eafy the excellent dean of Evesham."—*Ingram's edition,* p. 210.

[193] Idem Aylfwardus episcopus et abbas sanctissimas corporis reliquias beati Odulfi a mercatoribus eas Londonias portantibus, magno pretio mercatus est, atque ad istum locum transmisit."—*Acts of Abbots,* in *Harleian MSS.* 3763.

[194] Lambarde's Dictionarium Angliæ Topographicum. London 1730, 4to. p. 106.

there, according to the Saxon chronicle, he died on the 8th of the calends of August, 1044, and was there buried.[195]

27. Mannie was the next abbot, having received his appointment from Edward the Confessor. In the Harleian chronicle we learn that he was eminent for learning and biblical study; also that he was an adept in music, painting, writing, goldsmiths' work, and engraving. For our Saxon progenitors even legislated upon the principle—that, for the general welfare, christian ministers ought not to be debarred from combining secular employment with their religious function.[196] Were this,—in unison with apostolic precedent,[197]—somewhat more complied with in the present day, it might tend to repress a disposition toward something like timeserving, to which a portion of this class seem liable to be exposed. This abbot having rebuilt the church as noticed in page 39, enriched it with shrines of goldsmiths' work made by his own hands, together with a missal and a psaltery which he had transcribed and illuminated. In 1058, he on account of increasing infirmity, resigned the pastoral staff; and the king at his request enjoined Aldred archbishop of York to consecrate whichever monk the abbot might prefer, as his successor. Mannie survived the period of his resignation seven years, and continued here highly respected. He died on the feast of the Epiphany, 1065, in the same night and at the selfsame hour with his royal patron St. Edward the Confessor.[198]

28. Æyelwey a monk of this house was the person consecrated as abbot in 1058, at the request of his predecessor. He seems to have been a man of ability, and fitted for a courtier. But his conduct more fully developes his character as a self-seeking timeserver.

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[195] "This year died Ælfward bishop of London, on the 8th day before the calends of August. He was formerly abbot of Eoveshamme, and well furthered that monastery while he was there. He went then to Ramsay and there resigned his life: and Mannie was chosen abbot, being consecrated on the fourth day before the ides of August."—*Saxon Chronicle*, by Ingram, page 215.

[196] It was enacted by king Edgar that 'to increase knowledge, every priest should diligently learn some handicraft.'—*Wilkins' Leges Ang. Sax.* in Turner's History.

[197] "And because he [Paul] was of the same craft, he abode with them, and wrought: for by their occupation they were tent-makers."—*Acts of Apostles*, xviii. 3.

[198] Harleian MSS. num. 229 et 3763. The date according to the modern calendar is 5th January, 1066.

On Edward the Confessor's death, he became a favorite with Harold, the last of our Saxon kings; and at the accession of the Norman William—having after the first defeat of his countrymen sworn fidelity to the Conqueror—he so contrived to worm himself into his confidence, that the king entrusted him, although a Saxon, with the care of seven counties. These were Worcester, Gloucester, Oxford, Warwick, Hereford, Stafford, and Salop.[199] Thus were the lands and dignity of Æyelwey secured, while his neighbour Godric, the abbot of Winchcomb, lost all his possessions, and was carried captive by the soldiers, because he with his monks determined to oppose king William; his convent was at the same time delivered into the keeping of Æyelwey, till a foreigner should arrive, deemed fitting to discharge the office of its abbot.[200] As the conquest extended over the west, he solicited a share of the lands that were confiscated from his countrymen; and is even charged with first selling his interest to the Saxons for gold, and then by betraying them acquiring the reward of their possessions.[201] We therefore wonder not to find, from the abbey chronicle, that while the abbots of other churches lost much of their land and possessions, Æyelwey not only preserved those belonging to his monastery, but also redeemed thirty-six vills in different counties, at considerable cost.[202] Four hides of land in Bengeworth were abstracted by him from the church of Worcester, which in aftertime occasioned much dispute.

In 1074 the insurrection of Norman barons, leagued for the first time with Saxon chiefs, was frustrated through the activity of this abbot. He, in conjunction with bishop Wulstan and Urso, or the Bear, viscount of the county, guarded the passes of the Severn, and stopping the earl of Hereford, thus frustrated their design.[203] The number of the monks at Evesham was increased in his abbacy from

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[199] Acts of Abbots, in Harleian MS. 3763.

[200] "King William the Conqueror being highly incensed against Godric, caused him to be confined in the castle of Gloucester; and committed the charge of his abbey to the abbot of Evesham."—*Register of Winchcomb Abbey*, in Stevens's Additions to Dugdale's Monasticon, vol. i. page 275.

[201] Thierry's History of the Norman Conquest, 8vo. ed. 1841, book iv. page 80.

[202] Extracta Particula De Gestis Abbatum, in *Harleian MS.* 3763.

[203] Script. Rerum Danic. in *Thierry's History of the Norman Conquest*, book v.

twelve to thirty-six, and at his death he bequeathed four chests of silver toward building a larger church. He died on the 14th of the calends of March 1067, and in one obituary is styled "the prudent abbot of Evesham."[204] The monks at Worcester state that he died of gout; and as that convent had agreed with this that services should be observed in each for the souls of those who died in either, bishop Wulstan ordered the commendatory service to begin,—but was himself immediately seized with the same disorder. During the night he learned in a vision that this was a punishment "for having prayed for such a wretch's soul," and that he must desist from doing so if he expected cure. On his compliance the bishop was of course restored.[205]

29. Walter, a monk of Cerasia in Normandy was the next abbot. He received his appointment from William the Conqueror; who, though the Saxon Æyelwey had served him so efficiently, did not permit another of his nation to assume the dignity. This was in unison with that depressive treatment of his English subjects which before the termination of William's reign had so reduced them, that there was not at that period so much as one Englishman who was either earl, baron, bishop, or abbot, in the kingdom.[206] Walter is said to have been familiar with subjects of general literature, and his acquaintance with grammar is noticed as being profound.[207] During his abbacy—because, as stated in the register, "he was not sufficiently imbued with worldly prudence"[208]—the church, through the misrepresentations of Odo, bishop of Bajeux and half-brother to the king, lost twenty-eight of the vills which his predecessor had regained. Bishop Wulstan also sued him for the services of fifteen hides in Hampton and four in Bengeworth, as part of his hundred of Oswaldeslaw. This being refused, the cause was by the king's

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[204] "This year the moon was eclipsed three nights before Candlemas; and in the same year died Aylwy [Æȝelþiȝ] the prudent abbot of Evesham, on the 14th day before the calends of March, on the mass-day of St. Juliana; and Walter was appointed abbot in his stead."—*Saxon Chronicle.* Ingram's edition, page 284.

[205] Heming's Cartulary, in Green's History of Worcester, vol. i. page 181.

[206] Henry's History of Great Britain, book iii. cap. i. sec. 1.

[207] Harleian MS. num. 229, folio 17, in Dugdale, page 26; also *Harl. MS.* 3763.

[208] Harleian MS. 3763; in Dugdale, ii. page 4, note.

writ heard at Worcester before bishop Gosfrid and a great meeting of barons. Wulstan appeared with his witnesses, to assert that they saw the said services performed in the reign of Edward the Confessor. These were—Edric, steersman of the bishop's ship at that time and leader of his forces in the wars, also Kineward high-sheriff of Worcestershire, Siward a rich man of Shropshire, and others. But the abbot, destitute of witnesses had brought only his relics—the sacred body of St. Ecgwin—upon which to be sworn, and seeing such a host against him, he threw up his cause.[209] During this abbacy the inquisition of Domesday was made. It was also this abbot who commenced that new and extensive church of the monastery, which after being completed and adorned by his successors was demolished in the reign of Henry VIII. Walter died on the thirteenth of the calends of February 1086, and was succeded by

30. Robert, a monk of Jumieges, in Normandy. In his time the inmates were seventy-seven monks, five matrons,[210] three poor brethren, three clerks, and sixty-five servants. Of the latter, five served in the church, two in the infirmary, two in the cellar, five in the kitchen, seven in the bakehouse, four in the brewhouse, four at the bath; two were employed as shoemakers, two served in the orchard, three in the gardens, one at the gate of the cloisters, two at the great gate, and five in the vineyard; four attended the monks who went abroad, four were fishermen, four waited in the abbot's chamber, three in the hall, and two were watchmen.[211] During this abbacy the mission to Othensey in Denmark, noticed on page 36, took place, which issued in the subordination of that priory as a cell to this monastery. The Harleian chronicle has charged this abbot with abstracting lands from the convent to confer them on his own relations, as—it also states—his predecessor had likewise done. Abbot Robert died in 1096, and was succeeded by

31. Maurice, a monk of the house. He built "the old chapter-

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[209] Thomas's Account of Bishops of Worcester, pp. 82-84.

[210] "Moniales."—According to Du Cange these were pious matrons, who undertook the preparation of the oblatæ—bread blessed, not consecrated, upon the altar. Vide art. *Oblatæ* et *Prælis*. They likewise, it is probable, visited the female sick and poor, whom the almoner was required to attend by deputy.

[211] Cottonian Chronicle, Vespasian B xv.

room and dormitory," the private locutory, and the chapel of Saint Mary Magdalene. He died in 1122, and his successor was

32. Reginald, a monk of Gloucester, nephew to Milo earl of Hereford. This abbot went on foot to Rome, during the pontificate of Innocent II. to defend the liberty of his monastery against Simon bishop of Worcester.[212] The advowson of St. Michael's on Cornhill—which had been given to this abbey by one Alnothus a priest—was by this abbot and his chapter granted to Sparling a priest, together with their lands there, with one exception, on condition that he paid a mark yearly to the abbot, and also provided him with lodging, salt, water, and fire, whenever he came to London.[213] This abbot is, we believe, the first who is noted in the existing records of this monastery as providing for the perpetual celebration of his anniversary, or year's mind, upon the day of his decease periodically. The provision thus made is ten shillings to be paid yearly to the convent from the church of Bradewell ;[214] and from the comparative smallness of the sum we judge that it must have been strictly expended in the celebration of masses for his soul yearly. But from his time, similar provisions by his successors increase vastly in amount ; as in addition to private masses at the tomb of the deceased, the poor were then to be relieved and the whole convent feasted, yearly. Abbot Reginald, having built as already noticed, a considerable part of the church, enriching it with altar furniture and decorating its shrines, died on the eighth of the calends of September, 1149 : when he was succeeded by

33. William de Andeville, a monk of Christ church, Canterbury. He resolutely excommunicated William de Beauchamp, who—although himself hereditary sheriff of the county—had with his followers broken down the walls of the abbey cemetery during the civil wars of Stephen, and carried away the goods of the church. Nor was, at that time, such excommunication a merely nominal punishment. For by the canons of the council of London, in 1143,

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[212] "Pedetentim cum eo Romam ivit."—*Harleian MS.* 3763.

[213] "To the which Sparling they also granted all their lands which they there had, except certain lands which Orgar le Prowde held of them and paid 2*s.* yearly."—*Stow's Survey of London*, by Strype, folio, 1720, vol. i. book ii. page 143.

[214] Cottonian MS. Vitellius E xvii. folio 229.

it had been provided for the security of the persons and possessions of the clergy "that none who violated a church or churchyard, or laid violent hands on a clerk, should be absolved from excommunication by any but the pope." By this, says Roger de Hoveden, the rapacity of the kites was a little restrained. The abbot further retaliated by taking his castle in Bengeworth, which stood at the head of the bridge; then destroying its walls he consecrated a burial ground on its site.[215] Such lawless strongholds—of which no less than eleven hundred and fifteen are said to have been erected during Stephen's reign—a writer in the Saxon Chronicle calls "dens of devils, who sallied forth, and plundered and murdered all parties without distinction." Abbot de Andeville, died on the second of the nones of January, 1159; and was succeeded by

34. Roger, a monk of St. Augustine's, Canterbury: of whom nothing is recorded in the chronicles, but that he applied himself manfully to the duties of his office, as his predecessor had done; and that he built a mill adjacent to the bridge. The latter would of course be one of those at which the townsmen were obliged to grind their corn. He died in the year after that of his consecration, and upon the obit of his predecessor, namely the second of the nones of January, 1160. His successor was

35. Adam, a monk of Cluny, who had been prior of Bermondsey, and is distinguished in one of the Monastic Registers as a learned man and a writer:[216] and of whom the chronicler in Leland asserts, that the making him abbot was a greater honor to the convent than to himself.[217] He was elected in 1161, and appears to be the first abbot of this monastery upon whose brow the mitre—that glittering emblem of spiritual jurisdiction—descended by virtue of his office: Pope Alexander III. in a bull, dated 1163, having conferred on him and his successors the privilege of wearing all the episcopal ornaments, save the ring; with that supremest object of conventual ambition, of which these decorations were significa-

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[215] Viriliter etiam castellum quod erat Bengeworth, ad caput pontis, contra eundem Willielmum obtinuit, et funditus destruxit, et cimiterium ibidem consecratum fecit.—*Acts of the Abbots, Harleian MS.* 3763.

[216] In Stevens's Additions to Dugdale's Monasticon, vol. i. page 460.

[217] Monastic Chronicle, copied in Leland's Collectanea, tom. i. page 241.

tory—entire release from visitation by any but a legate from the pontiff.[218] It was during the reign of Henry II. that the richer abbeys first began to lay claim to this immunity: Robert abbot of St. Albans having—according to Matthew of Paris—first obtained the privilege from Adrian IV. who being an Englishman by birth, had in early life spent some years in that monastery. During the abbacy of Adam, Henry II. in exercise of his claim over Ireland as a realm annexed to the English crown, convened an assembly of the clergy of Dublin in this monastery, who here elected in accordance with the royal recommendation John Cuming a learned Englishman, and formerly a monk of this abbey, to the vacant archbishoprick of Dublin.[219] This abbot, beside erecting those important portions of the church noticed on page 41, completed the profuse decorations of the founder's shrine, constructed an aqueduct and lavatory, enlarged the buildings of the convent, and added to its library a copy of the scriptures both of the old and new testament. Stevens adds that he was adorned with variety of learning, and for his eloquence to be compared with the greatest men of his time, also that he wrote upon the miracle of the Holy Eucharist, an Exhortatory Oration to the Nuns of Godstow, a Book of Sermons and Homilies, and another of Epistles.[220] He died on the second of the ides of November, 1191, having provided for the celebration of his anniversary a yearly payment of ten shillings from the church of Bradwell as his predecessor Reginald had done.[221]

36. Roger Norreys, a dissolute monk, who had been imprisoned in, and had escaped from—but by no honorable avenue[222]—his own monastery at Canterbury, was now, "by royal power," [per regiam potestatem] appointed abbot of Evesham, contrary, as we are told,

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[218] "Hic [abbas] etiam insignia episcopalia preter annulem primo isti ecclesiæ adquisivit."—*Harleian MS.* 3763, folio 170 b. See also the bull itself, copied on folio 93 b of the same manuscript.

[219] Moore's History of Ireland, vol. ii. page 310.

[220] Stevens's Additions to Dugdale's Monasticon, vol, i. page 201.

[221] Cottonian MS. Vitellius E xvii. folio 226.

[222] Quondam ecclesiæ Christi Cantuariæ monachus, sed propter sua facinora ibi in carcerem est detrusus, a quo tandem liberatus per cloacas aufugit.—*Cottonian and Harleian Registers;* Vespasian B xv. and num. 3763.

to the wishes of the convent. This was, of course, effected by Prince John, while assuming royal authority during the absence of his brother, Richard I. who from the year 1190 to 1194, was occupied in the crusades. From Gervase of Canterbury, as cited in Dugdale, we collect the following outline of the priest selected. "He was, from youth, a monk proud of himself, puffed up, pompous in his speech, treacherous in his actions, covetous in his preferences, a despiser of religion, cringing to his superiors, contemptuous to his inferiors, gaudy in his clothing, negligent in the observance of order, a companion of females, a lover of horses, soon angry, eager at detracting, incorrigible in all things." Continuing, after his promotion, the dissoluteness of his life, depriving his monks of raiment and food, and appropriating to his own extravagance the revenues ordained to furnish even necessaries for the monks,—complaint was formally made to Hubert archbishop of Canterbury, at that time papal legate. This having induced only a temporary alteration in his conduct, the archbishop upon a further representation from the monks, visited the monastery in person; and thus peace was for a time restored. But this proving ultimately fruitless, the abbot was at length personally accused by Thomas de Marleberg, then dean of the Vale, at a second visitation from Nicholas bishop of Tusculum, the legate from Rome. On this occasion, he was, as stated in the chronicle, "by the evidence of facts and by the testimony of the brotherhood convicted of seven or eight distinct offences."[223] Upon this he was deposed from the abbacy; but was at the request of the monks made prior, by the legate, of their cell at Penwortham, that he might thus be furnished with subsistence.[224] This tends to prove that convents which were cells to others must often have been scenes of much disorder; it being known that monks who were elsewhere irreclaimable were often sent thither. Here, after further misconduct and much altercation, the order was at length rid of him; as he died at Penwortham about three years after his appointment, and was buried in the church of the priory there.

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[223] Harleian MS. 3763, Acts of Abbots.

[224] "Ad petitionem conventus, dedit ei dominus legatus prioratum de Penwortham, ad vitæ sustentationem."—*Ibid.*

From the date of pope Clement III.'s accession,—elected 19th December 1187—it must be to this Roger, and not to the former abbot of that name,—as some, including the editors of the New Monasticon, appear to have mistaken—that the bull from this pontiff in the second year of his pontificate must have been addressed, wherein the abbots of Evesham in perpetuity are authorized to wear the episcopal gloves and ring,[225] in addition to the mitre, crosier, and other pontificals, which had in 1163 been obtained by abbot Adam. These insignia might naturally be regarded as exclusively appropriate to bishops. Not only were they, however, granted to the abbots of our greater monasteries, but at Worcester the prior, who was superintendent of the convent there, was permitted by successive bulls to wear the mitre even in presence of his bishop;[226] in token of the exemption of his convent from interference by the diocesan. In 1205 Malger bishop of Worcester,—as if disposed to test the virtue of its recent privilege—revived the contention respecting supremacy between the monastery of Evesham and his see. He at first obtained sentence in his favor; but in 1206 that sentence was set aside; it being then decided at Rome that this abbey was not only exempt *in capite*, but that it was also entitled to exercise a separate jurisdiction throughout the Vale.[227]

In 1207, on the ninth of the calends of April,—and therefore during this abbacy—the papal interdict began, which was incurred by king John in his quarrel with Innocent III. respecting the right of nomination to the see of Canterbury. The sentence continued in force six years and three months, and all religious services were forbidden to the laity while it continued. It would therefore appear that through all this time no service whatever was performed in either of the parish churches in the town, nor throughout the

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[225] "Sicut ex gratia et liberalitate sedes apostolicæ, tu et successores tui, usum cirothecarum et annuli habetis; ita quoque usum mitræ," etc.—*Bull addressed by Clement to Roger abbot of Evesham;* in Cottonian MS. Vespasian B. xxiv.

[226] Bulls of Clement VI. Urban V. and Boniface IX. cited by Bp. Thomas.—*Account of Bishops of Worcester*, page 186, and Appendix page 125.

[227] "Anno MCCVI. Sententiatum est Romæ pro ecclesiâ de Evesham; ut sit exempta in capite; et facta est commissio de Valli."—*Annales Ecclesiæ Wigorniensis*, in Wharton's Anglia Sacra, vol. i. page 479.

Vale, in common with the kingdom generally. The monks of Gloucester it is clear, did not during this period allow their vicars to perform the Sunday duties in the churches dependent upon their abbey;[228] and from the serious tone in which the cessation of the interdict is noticed in the Worcester Annals, we infer that such was every where the case.[229]

37. Randulph de Evesham, prior of Worcester, who had also been elected bishop of that see on the 2nd of December, 1213, but by advice of Nicholas bishop of Tusculum, then legate in England, declined that honor, succeeded Roger Norreys as abbot here. He was elected on the 22d of January following the above date, and on the 23d of February received the benediction at York from the same bishop of Tusculum.[230] From the Harleian chronicle we learn that he was a native of the town of Evesham.[231] By the advice of Thomas de Marleberg, then dean of the Vale, this abbot caused all the ancient customs of the abbey, with the correct appropriation of its revenues, to be written down; entitling them "the Institutes of Evesham Abbey, written by abbot Randulph." This is the document to which we have so often referred in our preceding chapter. In the second year of his abbacy he attended a general council at Rome, accompanied by De Marleberg, and there obtained from pope Innocent III. the confirmation of his Institutes. In 1218 we find him assisting Silvester de Evesham, thirty-ninth bishop of Worcester, in a "solemn consecration" of his cathedral church; and in the following year, at a diocesan synod held there, he urged his right to wear his mitre as an exempt abbot, and to sit next to the bishop of the see in precedence of rank.[232] In 1225, his name

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[228] Gloucester Chronicle in Britton's Gloucester Cathedral, page 13.

[229] "Anno MCCXIV. Interdictum solutum est iii. die Julii; quod duraverat per vi. annos et iii. menses."—*Annales Wigorn.* in Wharton, vol. i. p. 482.

[230] "Radulphus prior Wygorniæ per consilium legati renuncians electioni de se factæ in episcopum Wygorniensem, xxii die Januarii eligitur, et benedicitur xxiii die Februarii Eboraci à legato in abbatem Evesham."—*Annales Ecclesiæ Wygorniensis*, in Wharton's Anglia Sacra, vol. i. page 482.

[231] "Dominus Randulphus, prior Wygorniæ, nativus de Evesham."—*De Gestis Abbatum*, in Harleian MS. 3763.

[232] Annals of Worcester, in Anglia Sacra, vol. i. pp. 483-4.

occurs upon the roll, as one of the spiritual barons then witnesses to the establishment of Magna Charta, by the authority of parliament, in the ninth year of Henry the Third.

This abbot—who is described in the register as of most affable demeanour—gave certain lands at Dunyngton to augment the resources of the infirmarer; provided more efficiently for the expenditure of other conventual offices; enriched the sacerdotal wardrobe with gorgeous altar-vests, a mitre, crosier, and ring, of highly wrought workmanship; constructed the second and third fish-pools; and materially improved the manor houses, mills, and other property belonging to the monastery. The provision made for celebrating his anniversary was twenty shillings to the convent, and forty shillings for the poor; the latter to be distributed before the laten gate in portions of twenty shillings, upon Holy Thursday and St. John's day.[233] Festivals to be enjoyed by the brethren begin also to be provided for in perpetuity, by rent charges made by successive abbots; and the chapel at Bretforton is therefore assigned to the convent by Randulph, for the celebration of the feasts of Relic Sunday and the martyrs SS. Vincent and Odulph.[234] This abbot died on the sixteenth of the calends of January 1229, and was succeeded by

38. Thomas de Marleberg, first a tutor in the schools at Exeter, and at Oxford; afterward successively a monk at Evesham, dean of its Vale, sacristan, and prior. He was consecrated abbot in 1330 in his own church of Evesham, by the bishop of Coventry. From the acts recorded of him, as well before as after his elevation to the abbacy,[235] he must have been a talented, enterprising, and superior character. It was through his resolution, as we have seen, that the monastery was released from the oppressive government of abbot Norreys; and also by his advice and coöperation that the new Institutes were compiled during the presidency of abbot Randulph. His acquaintance with civil and canon law was such that, while

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[233] "Et de eisdem die Cœne elemosinario viginti solidi ad mandatum faciendum, et viginti solidi de prædictis LX. solidis ad festum sancti Johannis ante portam latinam celebrandum."—*Cottonian MS. Vitellius* xvii. folio 229 b.

[234] Acts of Abbots.—*Harleian Register*, 3763.

[235] In article "De Bonis Operibus Prioris Thomæ," in Cott. MS. Vesp. B xxiv.

only a monk, his advice was sought by the chapter, when consulting upon an anticipated visitation from the bishop of Worcester; and the prelate was in consequence repulsed while upon his road to the monastery. As a scholar and transcriber he enriched the conventual library with several important manuscripts; some copied by himself, others purchased by him, and the rest such as he had brought with him from Exeter and Oxford. The books already in the library he caused to be repaired, and where necessary rebound.

Beside the important restorations and re-erections in the church effected by him, as noticed on page 41, he repaired the walls of the monastic cemetery at considerable expense, constructed an additional lavatory in the cloister near the entrance of the church, repaired the great lavatory there, and rebuilt the private dormitory which had lain in ruins. Not only architecture, but the sister arts of painting and sculpture were likewise cultivated by him; and in these he doubtless derived advantages from his visit to Rome in company of the preceding abbot; where such a genius would not fail to acquire refinement, in his intercourse with masterpieces of art, of a character so different from those to which he had been accustomed. The greater part of the chapter-house interior was painted under his direction: and by this term we are not to understand the common daubing now known as church-painting, but that rich and varied mosaic, wrought in distemper, and interspersed with holy legends and deeds of saints, of which some glimpses are occasionally shown in corners of our ancient churches, where the brush of the whitelimer has been stayed in its destructive sweep. The once rich effect of such adornment throughout cathedral and conventual structures, may *mentally* be deduced from a survey of the interior of the Temple Church, in London, now glowing with such resplendent tinting; as yet but recently restored, and therefore waiting the mellowing effect of time. De Marleberg adorned the interior of the church by erecting monuments upon the graves of his predecessor in the priorate and the late steward of the house; nor did he omit the like attention to two of his predecessors in the abbacy, whose tombs he further graced with that severe and solemn sculpture which pourtrays the departed, habited as in life and stricken, as it were, into lasting and undisturbable devotion. His own mausoleum was constructed in his lifetime within the south

wall of the church, and was in like manner surmounted with his effigy clad in pontificals.[236] He closed an active, and, we doubt not, a useful abbacy of seven years, on the second of the ides of September 1236, and was buried in the tomb which he had provided. No wreck alas, of his accomplishments remains, to do him honor: and sculpture in Evesham is now virtually unknown; for in our own day it presents *nothing* to its inmates save the effigy of a perriwig-pated alderman, extended in the aisle of Bengeworth church. The next abbot was

39. Richard le Gras, who had been prior of Hurley in Berkshire. During his abbacy the church of Evesham was dedicated, in 1239, and upon that occasion one hundred days remittance of penance was granted to all penitents who visited the structure.[237] This re-consecration,—for such in the thirteenth century it must necessarily have been,—was probably considered to be requisite after the damage and confusion occasioned by the fall of the central tower, as well as on account of the important repairs and additions effected by the last abbot in consequence. Though Prynne has shown that re-consecrations were not infrequent; and states that in this year the church of Evesham, with several others named, were all re-consecrated—because they had not been hallowed by the sanctifying oil.[238] Richard, the present abbot, combined with the sacerdotal a

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[236] "Sculpsit super duas tumbas prædecessorum suorum ad honorem et ostensionem dignitatis ecclesiæ ymagines episcopales, et sibi ipsi cum eisdem fecit mausoleum, et incidit in lapide marmoreo superposito ymaginem episcopatem ad honorem ecclesiæ."—*Harleian Register*, 229.

[237] "Tempore istius abbatis venit pater Johannes episcopus dedicavit ecclesiam de Evesham, videlicet A.D. MCCXXXIX. Et in dicto dedicatione concessit omnibus pœnitentibus et hanc ecclesiam venientibus de pœnancia sibi injuncta centum dies relaxationis.'"—*De Gestis Abbatum, Harleian, MS.* 3763.

[238] "Oleo Sanctificationis."—*Prynne's History of Popes' Intollerable Usurpations*, vol. ii. page 504.—The ceremony of consecration with the employment of the chrism was, according to Durandus, cited by Dugdale, as follows: "Every person being put out of the church and the deacon only shut in, the bishop standing before the church door, consecrateth holy-water, but not without salt: in the meantime, within, twelve torches being lighted before twelve crosses painted on the walls of the church, the bishop, with the clergy and people following him, go thrice about the outside of the church, and with a branch of hyssop sprinkleth the walls thereof with holy-water; at every time as he passeth by the door, smiting the threshold with his pastoral staff, and saying from the 24th Psalm, *Tallite portas*, &c. [Lift up your heads O ye gates, &c.]

political character; being much employed in state affairs both at home and abroad, by Henry the Third. In 1241 he was made chancellor of England, and keeper of the Great Seal. And now, upon his occasional visits to his monastery, we may imagine the stir which his entry into the town would occasion among the inhabitants,—to say nothing of the expectant monks,—when travelling in similar state to that described as usual with another ecclesiastical chancellor, in the reign of Henry II.; who in his journeys was attended by two hundred knights, esquires, young nobles, officers and pages, armed, dressed and mounted; while eight wagons followed, each drawn by five strong horses, conveying furniture and provisions for the way: twelve pack horses, carrying money, books, and plate, closing the cavalcade.[239] In 1242 abbot le Gras, being then in Gascony, was promoted by his royal master to the bishoprick of Lichfield and Coventry, although in opposition to the desire of many of the Lichfield monks. He, however, succeeded in obtaining the papal confirmation, but died prior to his consecration, at Riole, on the 5th of the ides of December, 1242.

40. Thomas de Gloucester, a monk of Evesham and prior of its cell at Penwortham, was next elected abbot. He was confirmed by pope Innocent IV. in 1243, and by his appointment was consecrated by the bishop of Ely; but from some cause not clearly defined, the abbot was unable to receive his temporalities from Henry III. till he had procured a mandate from the pontiff. This is the first abbot whom, after the decision against lay-investitures in the reign of Henry I.[240] we find invested personally by the pope. The abbots here, now mitred, and pronounced "exempt" from subordination to

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and the deacon within answereth *Quis est iste rex gloriæ?* To whom the bishop replieth *Dominus fortis*, &c. But the third time, the door being unbolted, he enters in with a few of his officers, the clergy and people standing without, and saith *Pax huic domui* [Peace be to this house], and rehearseth the litanies. Afterward in the pavement of the church he makes a cross with ashes and sand, whereupon all the alphabet is written both in Greek and Latin letters. And then again doth he consecrate other holy-water with salt, ashes, and wine, and halloweth the altar, as also anoint the twelve crosses depicted on the walls, with chrysm."—*Dugdale's Warwicksh.* 1656, p. 491.

[239] Retinue of Thomas Becket when Chancellor of England, as described by William Fitz-Stephen, in *Blount's Fragmenta Antiquitatis.*

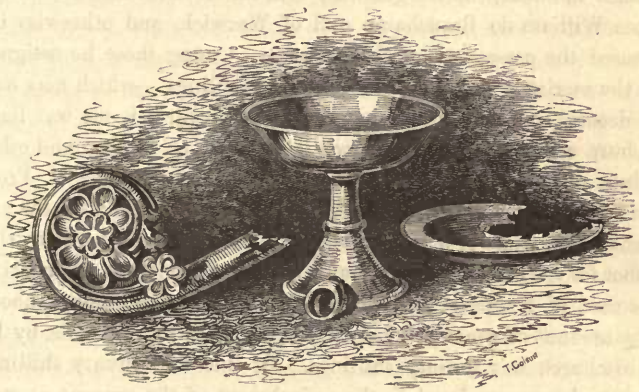
[240] At a council of the bishops, abbots, and nobles, held in the king's palace at London, August 1st, A.D. 1107.

all other bishops but the pope, could not impair this privilege by submitting to ecclesiastical investiture, even before the archbishop of the province. Thus were they henceforth compelled in the maintenance of their dignity, to journey each into Italy after election here, to receive from the hands of the pontiff the staff and ring of office, confirming by the court of Rome the abbot's homage to the king and his election by the convent. The heavy exactions levied upon these occasions by the papal court,—well known in history for its promptness in extortion,—soon proved to mitred abbots that their new privilege was dearly purchased.

During this abbacy, a cause long agitated respecting the exemption of the churches and chapels in this Vale, was determined by agreement, after an appeal to Rome. In these churches, excepting that of Abbot's Moreton, the bishops of Worcester were to claim no jurisdiction; but the abbots of Evesham might possess a chapel in their grange at that place, and celebrate service there. This abbot increased the altar furniture with copes and other richly embroidered vestments, and provided two marks yearly to furnish albs for the priests who officiated in the chapel of the blessed Virgin. He died on the 18th of the calends of January, 1255, and was buried, according to the register copied by Abingdon, in the midst of the body of the church. His successor was

41. Henry de Worcester, prior of Evesham, who was installed on St. Ecgwin's day, 1256, and confirmed by pope Alexander IV. This abbot discharged a debt of fifteen hundred marks contracted by the monastery; assigned certain rents from Bretforton, for the performance of a daily mass, in atonement for any accidental negligence in the religious services of the convent; appropriated all offerings made at the holy cross to the fund for repairing the church fabric; increased the gorgeous vestments already provided for the service of the altar; and assigned from certain rents in Evesham, a yearly payment to the elemosinary for the assistance of the poor. During this abbacy, the original bell-tower was struck by lightning, as noticed on page 41. Abbot Worcester died on the ides of November, 1263, and was buried, according to the register copied by Mr. Abingdon, in the north wall of the body of the church. In the autumn of 1822, during the excavations made in this situation by Mr. Rudge, a stone coffin was discovered in the wall at the spot

marked *b* in the plan opposite page 44; which, from none other being found near, was most probably that belonging to this abbot. From a paper in the Archæologia, we learn that upon removing the coffin-lid the body presented the appearance of having lain undisturbed. It had evidently been habited in ecclesiastical attire, and the boots, which were leather, were in good preservation, the soles being what are now termed "rights and lefts." The right arm was laid upon a wooden crosier with a scroll-wrought head, and the left hand was placed beneath a chalice and paten of pewter. Upon the middle finger of the right hand was a plain abbatial ring of debased gold, terminated by an amethyst.[241]



[Crosier, Chalice, Paten, and Ring, from Abbot Worcester's Coffin.]

From 1263 to 1266 the abbacy remained void.[242] The necessities of Henry III. and the exactions made from him by the pontiff doubtless combined to protract this vacancy, that the temporalities of the convent might, as was usual upon that occasion, remain at the disposal of the crown. During this interval of national commotion between the sovereign and his people, the battle of Evesham was fought; prior to which the convent admitted as its guests

[241] Archæologia, vol. xx. page 566.

[242] "Defuncto abbate Henrico vacavit ecclesia per multum tempus. Tandem circa festum sanctæ crucis in autumno, anno videlicet MCCLXVI. venit legatus Octobonus apud Evesham, et constituit monachis ibidem in abbatem."—*Cott. Chron.* Vesp. B xv.

Symon de Montfort, the general of the popular force, together with the king, whom Leicester then retained as his prisoner.[243] After the earl's defeat, his mangled remains were interred—as we shall hereafter prove—within the choir of the abbey church : and in the following year Ottobon, as papal legate, visited the monastery and appointed as the new abbot—

42. William de Whitchurch, who had been a monk of Pershore, but was at this time prior of the monastery at Alcester. After his election he was confirmed by pope Alexander IV. This abbot assisted by the abbot of Winchcomb, presided at a convocation of Benedictine abbots and priors, held at Oxford in 1271.[244] He purchased the manor of Bengeworth, with all its lands and tenements, from William de Beauchamp earl of Warwick, and otherwise increased the possessions of the convent. Among these he assigned to the sacristan a yearly rent of seventy shillings,—which may now be deemed equivalent to as many pounds—to furnish one wax light to burn continually in the church in honor of St. Wistan and other saints, and also a lamp to burn nightly before the cross.[245] From this we may form some estimate of the expence attending the ancient ceremonials of monastic worship. The provision made by this abbot for the celebration of his anniversary, exhibits the augmenting increase of bequests made for this purpose by successive abbots. The amount of rents devoted in perpetuity to this purpose by De Whitchurch was seventy shillings. Of this sum twenty shillings were to be appropriated to the refreshment of the convent at each anniversary of his obit, and fifty shillings were to be on the same day expended in bread, from whence the almoner was to give one loaf to as many poor as applied, till the whole was distributed.[246] During this abbacy a pardon was obtained from Edward I. by the

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[243] William de Nangis, in Nichols' Leicestershire, vol. i.

[244] Worcester Annals in Anglia Sacra, vol. i. page 498.

[245] "Confirmavit et sexaginta et decem solidos annui redditus de novo incremento fratris Reginaldi de Inteberge tunc sacristæ Eveshamiæ, ad sustentationem unius cerei die noctuque ardentis in honore Sancti Wlstani et aliorum sanctorum, et unius lampadis de nocte ardentis in pulpito coram cruce, assignavit prædictum annuum redditum officio sacristæ ad sustentationem prædictorum."—*Acts of Abbots, Harl. MS.* 3736.

[246] De Anniversario Willielmi Wythechirche Abbatis Eveshamiæ, in Cotton. MS. Vespasian E xvii. Dugdale, ii. 35.

convent for having, according to Nash, purchased the manor of Chedworth without license from the king.[247] Abbot Whitchurch died on the third of the nones of August, 1282, and was buried, according to the register in Abingdon, in the midst of the body of the abbey church. His successor was

43. John de Brokehampton, monk of Evesham, who was confirmed at Rome by pope Martin IV. The monastery during his presidency seems to have been free from incumbrance: and the increase of its revenue must have been great; judging from the extensive acquisitions made by purchase or donation in his time. To enumerate a portion only, the manors and advowsons of Saintbury and Willersey were acquired by him, as also the fee of Aston Somerville, and windmills at Poden in Honeybourne, and at Willersey. Eight granges were also entirely built by him upon as many manors belonging to the abbey.[248] These were originally spacious tithe barns or granaries, but at a later period residences were attached to them, with hall, chapel, stabling and appurtenances, fit for the temporary retirement of the abbots: after the Dissolution several of these became family seats for the new owners of abbey-property in the neighbourhood. At Evesham he built the abbot's hall, chapel, chamber, and appurtenances, as well as other chambers, and a range of stabling westward of the monastery. The church at Norton was rebuilt by him, as well as the chancels of those at Honeybourne, Willersey, and Hampton. During this abbacy the convent appears to have sustained some undue exaction; for in the twenty-fifth of Edward I. letters patent addressed to the bailiffs, were issued specially to protect the possessions of this monastery, and to continue in force till the feast of All-saints following.[249] During the same abbacy the estates of the monastery are assessed in the service of nearly five knights' fees, to be performed by nine armed deputies, mounted on "nine barbed horses;" while the lands of the bishoprick are assessed at only three knights' fees, to be performed by six

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[247] Nash's Worcestershire, vol. i. page 407.

[248] "Et octo grangias [fecit] sumptuosas sicut apparent per maneria."—*Harleian MS.* 3763.

[249] Tested by the Lord Treasurer, at Westminster, 6th March, 1296-7. Preserved in a bag of "Miscellanea" in the Chapter-house.

deputies armed and mounted.[250] From this period the convent acquired the privilege of retaining its temporalities during vacancies in the abbacy. This was effected by purchase from Edward II. at a cost of £200, and upon condition of future payments of £160 to the crown at each successive vacancy. Abbot Brokehampton, after a prosperous abbacy of thirty-four years, which he seems chiefly to have passed in enriching his monastery, died on the 15th of the calends of September, 1316, and was succeeded by another monk of this abbey—

44. William de Chyryton, elected on the third of the calends of September, 1316, and confirmed on Quadragesima Sunday by pope John XXII. He rebuilt the grand gateway of the monastery, and having obtained from Edward III. the royal license,[251] introduced by that monarch to restrain the erection of fortresses, he embattled and fortified the abbot's private residence and chapel, together with the rest of the abbey; and bounded the park toward the north with the existing wall. Under his auspices the central tower of the church was restored, as noticed on page 42, and many granges were rebuilt by him upon manors of the abbey.[252] Among the numerous additions made in this abbacy to the conventual property,—much of which was doubtless given or bequeathed from a religious motive by individuals—were the manors of Tatlynton and Witheleye; the advowsons of Leylond, Ombresleye, and Baddeby; with lands, tenements, and rents, in several parishes of the Vale. But with all these accessions there were heavy expenses to be met, and losses to be sustained: for on the sixth of the nones of May, 1326, Cobham bishop of Worcester, in appropriating the church of Ombresley to this abbey, states that it was done to assist the brethren in entertaining the numerous visitors to their house, caused by its situation on a great public road; in addition to which they then laboured under "insupportable burdens, as well as the loss of twenty-eight

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[250] Proffers of Service due to the King, taken at Tweedmouth, 10th September, 1310, fourth of Edward II.—*Palgrave's Parliamentary Writs*, vol. ii. div. i. p. 53.

[251] "Licentia pro Abbatia firmanda et kernellanda." Tested at Westminster 15th March, tenth of Edward III.—*Harleian MS.* 3763, folio, 129 b.

[252] "Præterea plures grangias.....super maneria magnis sumptibus construxit et etiam reparavit."—*Harleian MS.* 3763.

manors and three churches."[253] Some of these burdens were doubtless fiscal; and when summoned in 1322 to attend the parliament at Ripon, abbot Chyryton appears to have anticipated a further demand for royal aids: and such apprehension seems to have prevailed among his order; for among the twenty-seven ecclesiastics who were summoned, fourteen others beside himself are found severally pleading "illness" or "bodily suffering" as incapacitating them from attendance. Our abbot therefore appointed Radulphe de Wylecote and Thomas de Evesham his joint procurators and attorneys upon this occasion.[254]

The provision made by this abbot for the observance of his anniversary, exceeds in still-advancing progression that made successively by his predecessors. In the charter executed for this purpose, in 1328, it is first arranged with the prior and convent that after his departure each monk in priest's orders shall in every year, on the day of his anniversary, celebrate "one mass with the intercessory prayers, in true charity for the departed soul."[255] Then—after the observation that "the memory of an individual is in many minds more deeply impressed by benefits received,"—rents in Merstowe of ninety shillings yearly are assigned; of which one-third is apportioned to the refreshment of the whole convent on the above day, and the remainder is to be expended in bread for distribution by the almoner to the poor. The imposing observances now general on such occasions will enable us sufficiently to describe the day's procedure, from usages elsewhere. Abbatial tombs had now generally become altars, even in form; and on this day the tomb of abbot Chyryton would become a centre of devotion and a rival of the high altar itself. Gorgeous coverings are spread over it, lighted tapers are placed upon it,—and, amid the fumes of frankincense wafted from costly censers, successive services are offered up by stoled priests—from vespers of the preceding evening till the end of mass upon the following day. And then the almoner, standing before the tomb, would reverently distribute thence the bread which the bequest of

[253] Dr. Thomas's Account of Bishops of Worcester, page 168.

[254] Palgrave's Parliamentary Writs, vol. ii. part i. page 336.

[255] Carta Willielmi Abbatis Eveshamiæ, A.D. 1332, in Cotton. MS. Vesp. E xvii.

the deceased had purchased for the poor.[256]

The event, in prospect of which all these preparations were made, occured on the ides of December, 1344. His body appears to have been interred in the middle of the nave of his church; as in the spot marked *c* in the ground-plan at page 44, a stone coffin was found during the excavations made by Mr. Rudge, which contained the bones of an aged person, having the right arm crossed upon the breast and a well-preserved bull, or leaden seal, from pope John XXII. remaining close to the fingers.[257] This, viewed in connection with the fact that De Chyryton was the only abbot elected during Pope John's pontificate, may be considered as deciding this to be the situation of his grave. The papal seal remains in Mr. Rudge's possession, and to exhibit the medallic rudeness of the fourteenth century, even in Rome, the city of the arts, we insert the subjoined engraving; premising that the heads introduced are papal portraits of Saints Paul and Peter.

[Papal Seal from Abbot Chyryton's Coffin.]

45. William de Bois, who was also a monk of Evesham, succeeded abbot Chyryton. He was, according to Nash, of the ancient family of Attwood of Wolverley in this county, called from the french, De Bois. He was elected on the calends of January, was confirmed

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[256] Thus at the anniversary of abbot Vitalis, who died in 1082, his tomb "was covered with a carpet, and over that a covering of silk wrought with gold, and two wax candles of two pounds each .... were placed there from the hour of vespers till the last mass of the requiem the following day; and the prior was to celebrate mass on that account."—*Dart's Westminster*, vol. i. book ii. cap. iii. After the last mass

at Avignon by pope Clement VI. and was installed at Evesham on the day of Pentecost, 1344. His appointment seems to have given much satisfaction to the brethren. They are represented in the Harleian Chronicle as receiving him with much honor and affection upon his return from France; and each of the Registers describes him as an affable, generous, and facetious man. The rapid increase of the conventual possessions, still advancing, becomes amazing: and while regarding the accessions made here during each succeeding abbacy, we no longer wonder at being told that the clergy were ultimately proprietors of seven-tenths of the whole kingdom.[258] We are rather disposed to inquire how even the remnant could escape their clutches. Thus among the list of acquisitions made during the abbacy of De Bois we reckon four manors, one advowson, sixty-one tenements, twenty-four cottages and upwards,—the term "very many" being used here in one instance instead of the number,—three carucates of arable land, thirty-six and a half virgates and sixty-one acres of other land, five closes, several curtilages, two vineyards, two bakehouses, and one dove-house. The yearly value of these

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the almoner distributed the bread, as is noticed in the same work in the account of abbot Walter's anniversary. In 1338 the following was the provision made at the interment of abbot Adams in the monastery of Peterborough:—

Wax	250 lbs.	Plaice, 10 seme .	Conger, 1 seme
Wheat distributed to the poor	45 qrs.	Welks	5 sek
Herrings ditto (six to each) .	1000	Large Eels, 5 sticks	Small Eels, 70 sticks
Bread for the funeral day, wheat	20 qrs.	Sturgeon	1 barrel
Malt for beer . . .	40 qrs.	Linen for table-cloths & napkins	200 ells
Wine . . . 1 hhd. &	1 pipe	Plates and Garnishes . .	1400
Herrings for the funeral day .	8500	Trowes	24
Large Pikes	100	Bowls	4
Codlings	12 seme	Wooden Cups for wine and beer .	* *
Haddock and Sparlings, each	1 seme	Earthen Cups for ditto . . .	300
Salmons	24	Baskets	5
Milvelles, 120 . .	Dogdrout, 100	—*Stevens' Add. to Monasticon*, i. 482.	

[257] Communication from E. J. Rudge, Esq., in Vetusta Monumenta, vol v. page 7.

[258] "Upon good authority, it is stated that the clergy were proprietors of seven-tenths of the whole kingdom; and, out of the three remaining tenths thus left to king, lords, and commons, the four numerous orders of mendicants [friars] were to be maintained, against whom no gate could be shut, to whom no provision could be denied, and from whom no secret could be concealed."—*Wade's History of the Middle and Working Classes*, 8vo. 1842, page 15, a.

acquisitions as severally given in the record,[259]—realizes an addition during only one abbacy of upwards of £318 to the yearly revenue of the monastery.[260]

Among the additions made to the ecclesiastical ornaments by this abbot, were a mitre, pastoral staff, abbatial vestments and insignia; with tapestry for the abbot's stall, at the south of the altar: and two great bells were cast, named Mary and Ecgwin, which were anointed by the archbishop of Nazareth with the holy chrism. The same abbot obtained from pope Urban VI.—doubtless not without cost—the privilege that his successors might be consecrated in England by whichever catholic bishop they should choose. He also purchased from one Nicholas Porter his right to the office of gatekeeper to the abbey, which the said Nicholas held in fee.[261] The dreadful pestilence of 1349 which ravaged Europe, but particularly England, devastated also this town and monastery. So that in 1350 express provisions were made in consequence by this abbot, under the convent seal. The pestilence is described as then raging here; and the number of monks destroyed by it was so great, that the usual appropriation to the poor of each monk's allowance for one year after his decease, could not in consequence be observed. Lands were at the same time appropriated to provide yearly for ever one chaplain to celebrate mass at the altar of St. Stephen in the great church daily, immediately after holding the chapter, "for the souls of the brethren departed in this fearful pestilence."[262] Such was the virulence of the disorder that those who were seized by it are elsewhere stated to have usually died within a few hours, and scarcely any survived beyond the third day. The greater portion of the cattle also perished by it. It swept away so many of the clergy

[259] Acts of Abbots, in Harleian MS. 3763.

[260] This amount we obtain by adding together the rentals, as given in the manuscript in libræ, solidi, and denarii. This multiplied by 3, to reduce the heavy coinage of that period to the modern standard, gives the *money* value above stated. But this intrinsic value, further multiplied by 5 to show its availability, will augment the amount to £1590 of modern money.—See *Henry* on this subject in *History of Great Britain*, book iii. cap. vi.

[261] "Item adquisivit de eodem Nicholaio Porter officinum janitoris portæ abbathiæ Eveshamiæ, quod ipse Nicholas habuit in feodo."—*Acts of Abbots, Harl. MS.* 3763.

[262] Harleian MS. 3763, folio 159 b.

that none could be obtained for many churches. Knighton, a contemporary writer, says that "before this plague you might have hired a curate for four or five marks a year; but after it, you could hardly find a clergyman who would accept of a vicarage [cure] at twenty marks."[263]

Adam de Staunton, the contemporary abbot of Gloucester, seems to have calculated upon his own promotion to Evesham upon the death of abbot De Bois: it being recorded that he left at his decease, in 1351, a thousand marks in the treasury at Gloucester, "which he had saved that he might be advanced to the abbacy of Evesham."[264] Abbot De Bois, however, survived him many years; but "after a long and grievous illness," departed on the 8th of the ides of June, 1367; and, according to the register in Abingdon, was buried in the body of the church, beneath a marble slab before the altar of St. Ecgwin.

46. John de Ombresley, monk and cellarer here, was elected abbot on the 4th of July, 1367. He, by virtue of the privilege obtained by his predecessor, chose to be consecrated at Banbury by the bishop of Lincoln, and was afterward installed in his own church at Evesham. The wealth of the monastery still increases. The manor and advowson of Eyford are purchased "with great labor and expence;" and lands and tenements at Ombresley are acquired from John de Sodyngton, in like manner. A tenement of Thomas Aston's in Evesham, with all the tenements that had been John Dykon's in Bengeworth, become the property of the abbey: and upon several of the adjacent manors the monastic granges are either enlarged by this abbot or entirely built. At Evesham, he erected the southern walk of the cloister, and glazed the whole of the windows in that and another side. The latter, on account of the continuity of cloister-windows, must have been effected at much expence. The increasing magnificence of the altar-worship seems to have kept pace with the large additions made to the conventual estates. Censers, basons, candelabra, chrismatories, phials, spoons, an osculatory,[265] holy water vase and aspergator, all of silver,—

[263] Stow's Survey, vol. ii. page 62, cited by Dr. Henry.

[264] Britton's Gloucester Cathedral, page 23.

[265] "Osculatorium pacis." The Osculatory or Pax, which was kissed by the commu-

and a bell of silver gilt, occur among the plate now appropriated to the altar: while two pastoral staves, with jewels for a mitre, and a variety of gorgeous vestments, furnish personal decorations for the abbot, a chaplain, the chaunters, and the priests. Nor does the private table of the lord abbot fail to exhibit signals of the general opulence. There are now added to its furniture six chargers or capacious dishes, of silver, twenty-four plates, the same number of saltcellars, two large dishes to receive the portion devoted to alms, two large saltcellars and twenty-four spoons, all of the same precious metal.

During this abbacy serious outrages were committed on the estate of the monastery by the tenants of the earl of Warwick, who in 1377 "made a ryot vpon the monkes of Euysham, and slewe and hurte many of the abbottes tenauntes and spoyled and brake his closures and warynes, and sewyd their pondes and waters, and dyd vnto them many displeasures;" so that the king issued letters charging the earl to withdraw his men, and thus the depredations were stayed: although, as it is added, no punishment was inflicted on the insurgents.[266] Abbot Ombresley died on the third of the calends of November 1379, and was buried according to the register in Abingdon, in the midst of the body of his abbey church.

47. Roger Zatton, monk and sacristan, was unanimously elected by the convent, on the feast of St. Edmund 1377; and being accepted by the king, received his consecration in London from the bishop of Lincoln, and was afterward enthroned in his church at Evesham on Christmas eve. In his time the archbishop of Canterbury—William Courteney—claimed a right to visit this monastery; but though its subordination to the primate stands admitted by the convent in their own charter from pope Constantine, issued soon after their foundation and addressed to Brightwald then the archbishop[267]—yet the abbot and convent "with great expense" now

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nicants and handed to each other, in lieu of the personal kiss originally exchanged at the giving of "the peace."

[266] Fabyan's Chronicle by Ellis, page 487.

[267] "Tibi autem et successoribus tuis, memorato Egwino episcopo assentiente curam animarum ejusdem ecclesiæ præcipue injungimus."—*Constantine's Charter of Confirmation, among the Abbey MSS.* [Vesp. B xxiv. folio 72, British Museum] Dugd. nº. II.

successfully repulsed the archbishop's successor.[268] Abbot Zatton ended the dispute which had arisen between the monks of this house and the earl of Warwick in the time of his predecessor, and succeeded in a suit against Sir Thomas Bredet and his son, after much labor and cost in sending repeatedly to the king, then occupied in Normandy. In defending the claims of his convent "at great expense" this abbot not only incurred personal debts, but also contracted one of £360 on the part of his monastery. So that in this abbacy we miss the usual recapitulation of augmented property. A diminution in the number of monks—now only eighteen—also indicates a retrenched expenditure. The most minute of the conventual registers[269] having closed with abbot Ombresley, we are henceforth materially directed by a concurrent document which continues the abbatial list much further.[270]

During this abbacy Henry Bolingbroke,—shortly after crowned as Henry IV.—on his way to effect the deposition of Richard II. marched from Doncaster, says Holinshed, "through the country, coming by Evesham unto Berkely." So that in the month of July 1399 he would appear to have been entertained upon his route, in this monastery. We know not upon what ground abbot Zatton or his convent were in the following reign regarded as offenders; but there is in another register[271] the copy of a universal pardon addressed by Henry V. in the eighth of his reign to Roger abbot of Evesham,—wherein himself and convent are "through reverence of God and by the instigation of good will, pardoned for all kinds of treasons, murders, rapes, rebellions, insurrections, felonies, conspiracies, transgressions, offences, neglects, extortions, misprisions, ignorances, contempts, concealments, and deceits," committed by them "before the eighth day of December last past."[272] It seems as though from some cause, such pardons were in this reign often if not

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[268] "Iste abbas expulit gloriose et viriliter et magnis expensis Willielmum Courteney archiepiscopum Cantuariensem, qui, ut dicebatur, voluit visitare nos contra privilegia."—*Cottonian Chronicle*, Vespasian B xv.

[269] Extracta Particula de Gestis Abbatum.—*Harleian MS.* 3763, folios 168 to 191.

[270] De Actis Abbatum, in *Cotton MS.* Vespasian B xv.; in Dugdale, num. xxxvi.

[271] Register of Abbot Bremesgrave.—*Cotton MS.* Titus C ix.

[272] Tested at Westminster, 25th January following.

generally issued to monasteries: and perhaps no ground is so probable as the disaffection which these establishments had shown, after —the commons having prayed the king to seize the revenues of the clergy—he in the second year of his reign appropriated the estates of all the alien priories. The abbot of Tewkesbury received a similar pardon in the second of the same reign,[273] and at Newstead one was found of the same period, addressed to the convent there.[274] These three are worded alike, and each absolves from every offence committed prior to the eighth of December then preceding. It is stated in Tindal's continuation of Rapin, that a general pardon having been proclaimed by Edward III. on his accession, succeeding kings followed his example:[275] but this would not account for such as these, which were issued at later and differing periods. Abbot Zatton, after a protracted abbacy of thirty-nine years, died on the 6th of the calends of December 1418, and in the sixth year of Henry the fifth.[276] He was buried according to the register in Abingdon, in the midst of the body of the abbey church, and was succeeded by

48. Richard de Bremesgrave, infirmarer of the monastery, who was consecrated in his own church of Bengeworth by the bishop of Bangor, at that time chancellor of Oxford. This abbot appears as the first of this monastery who, since its acquisition of the episcopal insignia, received confirmation without the personal intervention of the pope; as among the Shelburne MSS. cited by Dr. Nash, there is a grant to this effect.[277] After the grant the bishop of Bangor's benediction follows, which declares the abbot's election to be as valid as if he had been confirmed from the apostolic see, [ac si per sedem apostolicam confirmata fuit]. This abbot in 1422 repaired the chapel in the grange at Offenham, and built a new room there, in which he placed a window of stained glass representing the Salutation.[278]

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[273] Given in Bennett's History of Tewkesbury, page 344.

[274] Concealed with other documents in a brazen eagle found in the lake at Newstead in the fifth lord Byron's time.—*Moore's Life of Byron*, 8vo. note on page 2.

[275] Acta Regia, appended to Tindal's Continuation of Rapin's England, p. 120.

[276] De Actis Abbatum.—*Cott. MS.* Vesp. B.

[277] Copied from Cotton. MS. c. ix. Tested at Westminster by John duke of Bedford keeper of England, 12th December, sixth of Henry V.—*Vide Nash*, vol. i. page 408.

[278] Nash's Worcestershire, article "Offenham," vol. ii. page 202.

Again we find the extended property of this foundation exposed to depredations. In 1422 a bill was exhibited before the council at Westminster complaining that Henry Lench, of Doverdale had with an armed band cut down the abbot's trees at Ombresley, entered his free warren, destroyed his game, broken his mill, pulled up his floodgates, and so threatened his miller and other tenants, that they could not proceed in their business without fear of their lives. Among the most conspicuous of these insurgents there appear some of the family of Brace. A writ was afterward issued, and the matter seems then to have been set at rest. But there were still disaffected persons in Ombresley; one of whom named Noble, a tenant of the abbot, seems to have been encouraged in violence by the baron of Ombresley, to whom a letter was consequently addressed by the duke of York. This is preserved in the register of this abbot;[279] and as an unpublished document, curious as a specimen of our language at that time—particularly on account of the saxon þ [th] and ȝ [y] retained—we insert it at length beneath.[280]

Abbot Bremesgrave died on the 10th of May 1435 and was buried, according to the register in Abingdon, in the chapel of St. Mary, at the steps ascending to her altar.

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[279] Registrum dom. Ricardi de Bremesgrave abbatis monasterii de Evesham.—*Cott. MS. Titus* c. ix. In the preliminary contents of the Register, the document above quoted is described as "Copia cujusdam literæ dni. ducis Eborum, transmissæ Baroni de Ombresleye."

[280] "Rytt trusty and welbeloued, wes grete ȝow wel, and wul ȝe wyte, þ^t by the meyntenaunce and supputacion of ȝow, on W. Nobul, standyng at þ^s tyme yn oure presance, and tenaunt vn to þ^e reuerent fad^r yn God and oure ryt trusty and enterly welbeloued chapeleyn, þ^e abbot of Evesham, haþ, do hereafor, and ȝet doþ, and ymagyneþ dayly, by malise and euel wyl, a ȝeynst rytt good conscience and lawe, diuerse wrongs, vexacyons, molestacyons, harme, and hynderyng, vn to þ^e tenauntes and seruauntes of þ^e seyde reuerent fader yn God; the whyche ȝf so be ys as we suppose, gret displesaunce yn to God, and a ȝeynste al reson, equyte and good conscience. Wherefore, cosyn, we consayle ȝow and pray ȝow, ȝef hyt so be, þt al such heuynesse and ymagynacions sesyng, ȝe wul suffre the sayde reuerent fad^r yn God to haue dew correctyon vppon the sayde Will. of all þ^t he haþ mysdon vnto hym and hys servauntes and tenauntes, or by hys procuracyon, wyrchyng, or consentement, as for as ȝe ȝo may knowe. And þ^t ȝe wul have þe seyde reuerent fader yn God, and þ^e churche of Evesham þ^t wes loueþ specyaly, wher of he bereþ þ^e charge al only, for to be recomended, and þ^e more tenderly at þ^e reuerence of vs; so þ^t he may fully knowe þ^t oure present lettere and prayere may be vn to hym a vaylabul, as oure singulare trust ys vn to ȝow wryte."—*Cottonian MS.* Titus c. ix.

49. John Wykewane, prior of the monastery, was elected abbot on the 12th of the calends of January, 1435-6, and was consecrated by the bishop of Bath, then chancellor of England, on St. Thomas's day. The increase of the monastic property made during this abbacy is stated to have been in lands and tenements £11 11*s.* yearly.[281] In the thirty-sixth of Henry VI. we find this abbot, with Sir Walter Scull and Sir Humphrey Stafford, commissioned to levy archers for the county, in defence of the kingdom.[282] After having continued twenty-six years in authority, "spinning out a long life" —as the register in Abingdon expresses it—"and wearied with grievous sickness in his blessed old age," he died in 1460, and was buried in the chapel of the Virgin Mary, before the image of St. Katherine there.

50. Richard Penbrok, doctor in divinity[283] was unanimously elected on the third of March, 1460; and was consecrated by the bishop of Hereford on the 8th of April following. The monastery of Alcester was at this time granted—on account of its embarrassed and depressed condition—to the abbot and convent here; being now made a cell to Evesham, as noticed in page 37. This abbot died on the 7th of May, 1467, and was buried in the body of the abbey church.

51. Richard Hawkesbury, prior of this house, was elected abbot in 1467, and received the benediction from the bishop of Lincoln August 6th. Browne Willis states that this abbot stood sponsor to Richard son of George duke of Clarence, who was born in the monastery of Tewkesbury in 1476.[284] But this, Stevens in his Appendix to Dugdale, dismisses, by stating that he cannot but believe it to be a mistake. Yet it appears to be a fact that Richard, the duke's second son, *was* born in that monastery on the 6th of October in this year.[285] The ceremony of baptism had also previously

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[281] Cottonian Register, Vespasian B xv.

[282] Exchequer Rolls, cited by Nash, Worcestershire, vol. i. p. 453.

[283] "Doctor Magister in Theologia."—*Cottonian Chronicle*, Vespasian B xv.

[284] Willis's Mitred Abbeys, vol. i. page 96.

[285] "On October 6th 1476, Richard, the second son of the duke of Clarence was born in the then new chamber of the infirmary within the monastery."—*Dugdale's Monasticon*, "Tewkesbury," in vol. ii. page 56.

been performed there for Edward, the duke's eldest son, in the year preceding; and in that church—which yet remains, an ornament to the county—the body of the duchess was interred, after it had lain in state during thirty-five days in the middle of the choir. The general commotion caused by the gathering for, and the retreat from, the great battle of Tewkesbury, fought in 1471, seems greatly to have augmented the visitants of rank who received entertainment in our own monastery. For on such account alone the convent here incurred a debt of no less than one thousand marks;[286] which may be safely estimated as equal to at least twelve thousand pounds of modern money. This abbot died on the 6th of the calends of April, 1477, in the seventeenth of Edward IV., but the situation of his burial-place is not given. His successor—

52. William Upton, a monk from Evesham and prior of its cell at Alcester, was consecrated by the bishop of Beriton in the chapel of the rectory of St. Christopher, "near the Stocks, London," on the 6th of May,[287] and was installed in his own church at Evesham on the 10th of the same month. In his time the finances of the monastery were so far improving as to admit of the discharge of the whole debt contracted in the exercise of hospitality by his predecessor. Abbot Upton died on the 11th of August, 1483, and was buried between the baptistery and the altar, [infra baptisterium et altare]. It seems probable that the lavatory near the high-altar, where the sacred vessels were cleansed, is here intended by the former term; as the ancient situation of the font was uniformly near the entrance of the church, thus typifying an initiatory sacrament. Though in a few of our larger churches, a distinct edifice or adjacent chapel contained the font; and the building—as at Canterbury and elsewhere—was then termed the baptistery.

53. John Norton, second prior, or prior of the cloister—part of whose duty it was to preserve order among the brethren when in that part of the monastery—was the next abbot. He was elected on the 4th of September, 1483, in the first year of Richard III. and was installed on the 1st of October following. He provided that

[286] "Hujus tempore magnates convolarunt adeo frequenter ad monasterium, ære alieno obligatum reliquit ad summam mille marcarum, quam successores solvere cogerentur."—*Cottonian Chronicle*, Vespasian B xv.

[287] Register in Abingdon's MSS.

upon his obit each monk should receive yearly twenty-pence, and that a deer should be sent from the park at Offenham to furnish venison for their table on that day; and for this reason, as we are told, he enlarged the deer-park—which was attached to the grange at Offenham; and at the same time increased the wine stored in the abbots' cellar.[288] The same abbot instituted the celebration of the feast of the Visitation of the Virgin, and on the vigil of that festival "as he had earnestly desired" he closed his life; dying on the 2d of July 1491, in the seventh year of Henry VII. He was buried in his abbey church,—as stated by the register given in Abingdon—"just before the ascent to the altar of Jesus."

54. Thomas Newbold, cellarer of the abbey, was elected abbot on the 8th of July 1491, and was consecrated by the bishop of Hereford on 20th September following. The royal license empowering the prior and convent to proceed to this election was, in 1806, in the possession of T. B. Richards, esq. and is given in the Archæologia, as copied in the note beneath.[289] After governing his monastery upward of twenty-two years,[290] abbot Newbold died suddenly in the night of St. Nicholas' day, being the 6th of December, 1514; and was buried—according to the register in Abingdon—"in the great church, at the head of his predecessor."

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[288] "Hic providebat ut in die anniversarij sui unusquisque fratrum xx^{d}. et ut fratres haberent unam damam ex dammario de Offenham, et ideo ampliavit parcum de Offenham cum vino de cellerario abbatis."—*Cottonian Chronicle*, Vespasian B xv.

[289] "Henry, by the grace of God, king of Englande and of Fraunce, and lord of Irland, To all knights, squiers, men of honnour or substaunce, and all othre our servaunts or subgetts, within our countie of Worcestre and of alle othr counties therunto adjoynyng, greting. Forasmuche as wee bee acerteyned that th abbot of our monasterye of Evesham is late passed to Godes mercy, whereby the same is viduat and destitut of an hede and govvernour: wherupon by our licence roial the priour and convent there shall hastily procede unto th ellection of an newe pastour and abbot: We therefore tendering the wele of our said monasterie, in that it is of our fundacion and patronage, wol and straitely commaund you and every of you, not to presume in any wise to make any embracerye to the interrupcion of the said election, but that the said priour and convent maye paicibly procede therin according to the liberties of holy churche: and that noon othre personne intromete therin but oonly suche as we have yeven auctorite in that behalve: and that noon of you attempte the contrary herof, as ye wol avoyde our great displaisir and othre daungiers that maye ensue at your uttremoost perrillys. Yeveu undre our signet at our palaice of Westminster, the tenth day of Juyl, the seventh year of our reign."—*Archæologia*, vol. xv. page 396.

[290] Cottonian Register, Vespasian B xv.

55. Clement Lichfield, bachelor in divinity,[291] and senior prior at Evesham,—whose family-name seems to have been Wych—was the next, and the last actual, abbot of this monastery. He was elected on the 28th of December 1514, and was consecrated by the bishop of Ascalon, at the abbatial manor-house in Offenham. After having paid to the king one hundred and sixty pounds on the receipt of his temporalities, as had been agreed upon in the time of abbot Brokehampton, he submitted in numerous instances to the extortions of Henry the Eighth and his minister Wolsey. He lent five hundred marks to the king, which he was afterward compelled to term 'a gift;' paid also to him five hundred marks for fifths, and five hundred more for a premunire. To Wolsey, then the royal almoner, he paid soon after one hundred pounds, without receiving a sufficient reason beyond the demand of this then actual prime minister. To the same individual, when cardinal legate, he paid a fee of fifty pounds upon his visitation of this monastery,—a right which Wolsey now claimed and exercised over abbeys exempt from episcopal control, as being himself the pontiff's representative in England,[292]—and twenty pounds at another time for his protection. Beside all this abbot Clement was required to fee the servants of both king and cardinal, and during a year was saddled with the maintenance of twenty-four of the king's followers and their horses. The irksomeness of such an intrusion as the latter upon the quietude of a religious foundation, we may readily conceive; but the behaviour of one at least of the royal emissaries toward the abbot himself must have been intolerable. A formal complaint from abbot Lichfield, after the visitation of his monastery in 1537, to the Lord Privy Seal, represents one of these people—named Wever—upon being disappointed of certain pastures belonging to the convent—as bearing toward the abbot a constant grudge, seeking in various ways to have him deposed, and even asserting before ser-

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[291] He was admitted bachelor of divinity, at Oxford, in 1501.—*Wood's Athenæ Oxoniensis*, fasti, folio 3.

[292] "When the Cardinall of Yorke was thus a legate, he set up a court, and called it the court of the legate, and proved testamentes and heard causes to the great hinderaunce of all the bishops of the realme. He visited bisshopes and all the clergie, exempt and not exempt, and under colour of reformacion he gat muche treasure."—*Hall's Chronicle*, Xth yere of Henry VIII. 1518-19.

vants that he had authority to put him down and to make whom he pleased abbot here.[293] Notwithstanding these exactions, Clement Lichfield was a liberal benefactor to the town as well as to the monastery. He built the grammar-school in Merstowe for the youth of the town and neighbourhood, and adorned the choir belonging to the abbey church with the luxuriant decorations of the Tudor style of architecture; he also rebuilt the bell-tower of the monastery which still remains,—his glorious monument!—added a chantry-chapel to the church of All-saints, where his remains are laid, and seems to have assisted in beautifying the adjacent church of St. Lawrence.

The character of this abbot is, by all his biographers, protestant as well as catholic, admitted to have adorned the sacred office which he filled. His conduct proves him worthy of such distinction. A short time previous to the dissolution of religious houses, he appears to have foreseen the ultimate design of the sovereign; and therefore—unmoved in his determination, never to surrender the possessions of the church to one whom he considered an ungodly and rapacious layman—he, at the instigation of Cromwell, resigned his pastoral staff; and retiring to his abbatial manor-house at Offenham, he there, in melancholy but dignified seclusion, calmly awaited his dismissal from the earth. That period soon arrived. A witness to the base conduct of his treacherous successor, beholding the utter destruction of his monastery, together with the desecration of those hallowed aisles which it had been the pride and business of his life to adorn,—bowed down with anguish, rather than with years, he yielded up his spirit to Him whose servant he was consecrated,—"before whom all hearts lie open;" and by whom "actions are weighed."

Thus terminated, in the month of October 1546, the honorable and consistent life of Clement Lichfield; the last actual abbot of that long-drawn line, which—originating amid the gloom of semi-barbarism and partial christianity—here terminated before the dawn of that resplendent era, wherein—in confirmation of the apocalyptic vision—"the everlasting gospel," in primeval purity, is to be proclaimed "to them that dwell upon the earth, and to every

[293] See letter from Clement abbot of Evesham to Cromwell Lord Privy Seal, printed in the Appendix, No. I.

nation, and kindred, and tongue, and people."[294] His body was appropriately interred within the chantry that he had himself erected in the parochial chapel of All-saints. And mournful must have been the gathering upon that day, of the inhabitants throughout the Vale; who venerating the character and office of their late spiritual father, now thronged to witness the committal of his body to its silent resting-place. A marble slab still covers his remains, indented for an inlaid effigy and inscription; to which we shall have occasion to recur in an ensuing chapter. Himself unchanged in pious sentiment, amidst an almost general conformity with the assumed opinions of the king, no doubt nor question can be made of the sincerity of abbot Lichfield. Consistent even in death, he ordains a strict compliance with the usages of that Church of which he was yet a minister,—the observances of which extend beyond the coffin and the shroud. His own stately fabric is in ruins and its monastic choristers are wide dispersed; and the imposing services which that community were wont to offer at stated periods for the welfare of the departed, cannot be there observed for him: and therefore he is content that the postmortuary offices be rendered for his soul's repose in an obscure structure—a distant chapel, once dependent on his own—the mother church. And though vast estates are no longer vested in him, wherewith to charge the cost of yearly observances on his behalf, throughout all time,—observances which many of his predecessors *thought* they had in perpetuity secured—he yet bequeathes to the church at Littleton "three kine, to have mass and dirige," with a provision for some slight refreshment to the poor parishioners at his year's-mind "for ever."[295]

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[294] Revelation of St. John, chapter xv.

[295] The following appears in the *contemporary* register of South Littleton, near Evesham:—

"A°. Dni. m. v^c^. xlvj The xviij day of the monyth of october in the xxxviij yere of the reygn of ow^r^. sowrygn lorde kynge henry the viij^th^ dyed and was beryed in the parysh churche of all halowyn in Eveshm̄ Mast^r^ clement Wych bacheler of diuinite and sume tyme abbott of the monestery of Eveshm̄ the wyche geve to ow^r^ chwrche before he dyed iij kyne to have masse and dirige w^t^ serte Refreshyng to the paryfshoners at evry yere mynde for Ever."—

"Nota"

The interment is entered in the register of All-saints at Evesham; but in transferring the entries of that century at a later period from paper to parchment, in compliance with the canon of 1597, the month of October appears to be substituted for that

Upon the resignation of abbot Lichfield, in 1539, the king, at the instigation of Cromwell, to effect an appearance of voluntary surrender on the part of the convent, caused Philip Hawford or Hayford—whose family-name was Ballard—and who had been cellarer of the monastery,[296] to assume the character of its abbot. In an original letter dated July 26th—given in our Appendix[297]—this individual admits that it was only through Cromwell that he had been "preferryde to occupye the roome of abbott here;" and on the 17th of November following he delivered up the monastery to the king. For this subserviency, he was rewarded by grants and patronage from the crown. His immediate provision was, a part of the monastic buildings reserved for him during life—as will be noticed in the following chapter—together with a pension of £240 a year. He was afterward made king's chaplain, and on the 5th September, 1543, was presented to the rectory of Elmeley Lovet, in this county. In 1553 he was, in lieu of his pension, preferred to the deanery of Worcester; and according to Dr. Thomas, he died July 30th 1557, and was buried in the south-east transept of that cathedral, in a stone coffin, upon which was placed his effigy clad in the abbatial robes and insignia.[298] But during the erection of the present altar-screen, in 1812, it being deemed desirable to remove the effigy, a recess was constructed in the basement of the screen at the eastern side, and the figure was removed thither;[299] where it still remains. Dr. Nash, and others after him, have objected to the above date as that of Hawford's death, because Willis says that *mortuus* is written opposite his name in the pension book in 1533. But this was the year in which he had received the rectory in lieu of his pension, therefore the word might have been inserted to mark that off as extinct.

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of November, and therefore the entry erroneously stands thus—"A.D. 1546. Clement Lechfielde, abbott of Evesham, buryed the ixth of October."

[296] Thus distinguished in repeated entries upon a Manorial Court Roll, temp. 23d Henry VIII. in possession of Fisher Tomes, of Welford, esq.

[297] Unpublished Letter from Philip abbot of Evesham to Cromwell Lord Privy Seal, A.D. 1539. See it in Appendix, No. II.

[298] Vide Thomas's Survey of the Cathedrall-Church of Worcester, page 68; also Green's History of Worcester, vol. i. page 153.

[299] Wild's Worcester Cathedral, page 29.

The effigy—which is of stone—continues in tolerable preservation; but is somewhat indifferently cut; as though the art had already begun to decline with the overthrow of monastic institutions. It lies extended upon the coffin-lid in the robes of an abbot as decked for the altar; the head is mitred and upheld by angels, the right hand is uplifted for the benediction, and in the left is an abbatial staff with an ornamented head, but destitute either of cross or crosier. The gloves upon the hands have each a large jewel represented upon the back, and at the feet is carved a couching lion. The sides and ends of the coffin are faced with ancient quatrefoils, but the niche and canopy are of modern work.

[Abbot Hawford's Tomb, Worcester Cathedral.]

CHAPTER VI.

SUPPRESSION OF THE MONASTERY—VALUATION OF ITS REVENUE —TRANSFER OF ITS LAND IN DEMESNE.

THE present chapter forms the last in the history of that magnificent foundation, the rise and progress of which we have hitherto endeavoured to trace. It now remains that we recount the mode of its suppression, and the consequent destruction of those splendid edifices, of which—'like to the baseless fabric of a vision, no wreck is left behind.'

Henry the Eighth, foiled, as is well known, by pope Clement VII. in obtaining that divorce from Catherine of Arragon, for which he had waited with amazing patience during six long years; first privately married and then publicly acknowledged Anne Boleyn as his queen. His public marriage was effected on the twelfth of April 1532; on the first of June the ceremony of her coronation was performed;[300] and in 1533 the marriage was by act of parliament declared legal. In the succeeding year—when the whole business

[300] Mr. Turner, in his passing notice of the pageant on this occasion—while referring to the young and lovely queen, introduces the following beautiful observations. "At this moment she appears to have been highly popular; and with such attractions how could she be otherwise? The smiling beauty of a lovely face, is the nearest representation we can have, on earth, of a celestial countenance. It is the most expressive picture that we can behold of what is heavenly and, as yet, invisible. If its magic were not daily experienced, the effect might be called supernatural. It partakes of this character. It acts at once upon the admiring reason, the taste, and the sensibility: and all that is unearthly within us, feels and obeys its eloquent, its irresistible appeal. The features and deportment of Anne Boleyn had this witchery: and no voice was heard to blame her unassuming exultation."—*Henry VIII.* vol. ii. p. 339.

was complete and legalized, and the king himself so far induced to believe the pontiff favourable, that he had actually despatched an envoy with his submission to the judgment of the court of Rome—at this very period[301] pope Clement VII., actuated by the imperial influence of Charles the Fifth, abruptly fulminated from the Vatican the first pontifical decree that rolled comparatively unheeded against the English throne. This final sentence of the Romish consistory pronounced the marriage of Catherine valid, that Henry should be compelled to cohabit with her, that all molestations against this marriage were unlawful, and that he should for ever remain silent against it.[302]

The Romish sentence was received by the majority of the English nation with indignant scorn. Books were immediately issued to prove the papal authority an usurpation; and the imperious monarch deeming himself insulted, resolved to free himself at once from the control of papal assumption. Accordingly, when parliament assembled in November following, the pope's supremacy in this country was by one decisive act annulled; the king being then declared and confirmed Supreme Head of the Church of England.[303] As might have been expected, and as the monarch no doubt foresaw, this procedure was regarded with the utmost dissatisfaction by the whole of the regular clergy,—being that portion bound by the monastic vow,—who naturally acknowledged the pontiff only, as their supreme ruler. That they should therefore have inveighed against this conduct of the king, and have employed their influence over the multitude in a corresponding degree, cannot be matter to surprise us. With what success attended—secret plots, and at length avowed rebellion, shortly proved. He, however, 'who spared not man in his anger,' determined that monasteries should no longer nurture the disturbers of his peace.

On the 30th of August, 1535, the successor of Clement—pope Paul III.—executed a bull of excommunication against the English sovereign; which, though not actually published at the time, was speedily known to be existing. Respecting this papal fulmination,

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[301] September, 1534.—*Hallam's Constitutional History of England,* vol. i.

[302] Compare Turner's Henry VIII. vol. ii. page 347.

[303] Statutes at Large, 26th Henry VIII. cap. 1.

it has been correctly remarked that the crimes which it enjoins to be committed "may fairly be characterized as more atrocious than the worst actions of the English king." Among its contents—murder, perjury, and treason, are enjoined by wholesale. It robs the sovereign of his whole dominion, forbids his subjects to obey him, and commands his nobles to drive him from the throne. All treaties and contracts with him or his are annulled, commerce is suspended, and even intercourse with the Deity is imperatively forbid! Henry's offspring by queen Anne, together with the children of all the king's supporters, living and unborn, are pronounced infamous —and incapacitated from the reception of property or honour. The princes of Europe are finally exhorted to arm against him; the goods of his adherents are awarded to their conquerors, and the owners are given to them for slaves![304] The royal indignation, augmented by this irritating measure, most probably induced the sovereign now to adopt the most effectual method of curbing the regular clergy—as the avowed partisans and, as far as possible, promoters of the uncontrolled supremacy of the pontiff. Accordingly, in the same year a general visitation of monasteries was ordered by the king in council; of which inquisition Thomas Cromwell was constituted chief, with the title of "visitor general;" and he, after appointing substitutes or commissioners, commenced his visitation in October of the same year.[305] The queries to be proposed to the abbots and priors on this occasion were in number eighty-six, and embraced every topic calculated to elicit information respecting the possessions, rules, and conduct of each fraternity.

Henry—while contemplating the suppression of these monastic institutions, as constituting, in their corporate capacity and by their sworn allegiance to the pope, a self-existent power within his own dominion, intolerable in an independent state—is considered to have been further impelled by his apprehension of a war with the emperor Charles the Fifth. In anticipation of that event, he had already incurred expences beyond what his exchequer could defray, and these he was now anxious to discharge without the unpopular measure of increased taxation. No fund could therefore, under cir-

[304] See Turner's Reign of Henry VIII. 8vo. vol. ii. page 470.

[305] Rapin's England, vol. i. page 807, edition 1743.

cumstances, appear more eligible for his purpose than the enormous revenues of religious houses. The question with the monarch was purely a measure of state policy, in which religion could have had no weight; since it is notorious that he lived and died a *catholic*, though certainly any thing rather than a disciple of the pope. But there were among his subjects, those who viewed this impending destruction in a different light: who hailed it as the promised overthrow of institutions which were by their very constitution inimical to the diffusion of the reformed faith. Foremost among such, was Cranmer, the primate; who though occasionally temporizing, yet apparently actuated by sincere desire for the spiritual welfare of the people, employed his powerful influence to expedite an event which he on their account earnestly desired to see effected. In this year, 1535, the lesser monasteries were suppressed by authority of parliament,[306] under allegation of the irregularities charged upon them in the visitors' reports.[307] The churches, lands, and goods, belonging to these houses, were given to the king; and a new court, that of "Augmentation," was appointed to administer this novel branch of royal revenue.

The more ignorant and necessitous part of the populace were now easily induced—by those whom they regarded as their spiritual fathers and from whose amply-furnished convents they had oft been fed—to rise in open rebellion against this act of the king. Insurrections, which seem to have been deeply planned, accordingly took place in the northern parts of England; and in one of them the number of insurgents amounted to forty thousand.[308] Their banners —displaying on one side the crucified Redeemer and on the other the wafer and chalice—were sufficient to intimate the promoters of this rebellion.

The king having now—1537—effectually subdued the insurrection, proceeded to carry into effect his original designs against those who had so recently proved abettors of revolt and treason. A stricter visitation of the existing monasteries was appointed; and among other instructions communicated to the visitors, they

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[306] Statutes at Large: 27th Henry VIII. cap. xxviii.

[307] Compare Burnet's History of the Reformation, vol. i. book iii.

[308] Hallam's Constitutional History of England, vol. i.

were at this time to estimate the value of the monastic structures, to deposit in safe custody the muniments, jewels, and plate, of every house, and to complete an inventory of the property remaining.[309] This visitation finished—the dissolution of the whole was speedily determined. But in the absence of a parliamentary enactment—which it was not at this time the royal pleasure to employ—every means were to be used to give an appearance of voluntary surrender on the part of the abbots and priors ;[310] under a presumption that the royal prerogative would warrant a surrender of corporate property to the crown. Commissioners were sent in 1539, into the different counties, to receive these surrenders and to give them the appearance desired. Among the arts employed to effect such colouring, *this* was by no means uncommon,—in houses where a vacancy in the abbacy had occurred, whether from resignation, deposition or demise, a member was selected to fill the dignity, with a private understanding that he should resign his monastery, when so instructed, to the king.[311] That such was the case at Evesham, we have already intimated at the conclusion of the preceding chapter. In 1539, the suppression of monasteries throughout England was complete : these great foundations being then wholly surrendered, with the exception of a few, which "against every principle of received law and justice were held to fall by the attainder of their abbots for high treason."[312] But so absolute and determined was the character of the king's procedure, that this most sweeping measure excited no further revolt. All therefore that the monarch now required, was the authority of parliament to confirm his title

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[309] Compare Burnet's Reformation, vol. i. book iii.

[310] Compare Rapin's England, vol. i. p. 821, edition 1743; also Burnet, vol. i. b. iii.

[311] "In other places, upon a vacancy, either by death or deprivation, they [the commissioners] did put in an abbot only to resign up the house. For after the king's supremacy was established, all those abbots that had been formerly confirmed by the pope, were placed in this manner. The king granted a *conge d'elire* to the prior and convent, with a missive letter declaring the name of the person whom they should choose : then they returned an election to the king ; who, upon that, gave his assent to it by a warrant under the great seal ; which was certified to the Lord Vicegerent, who thereupon confirmed the election, and returned him back to the king to take the oaths : upon which the temporalities were returned. Thus all the abbots were now placed by the king ; and were generally picked out to serve his turn."—*Burnet*, vol. i. book iii.

[312] Hallam's Constitutional History of England, vol. i. p. 98.

to the property thus surrendered to the crown, and in 1539 an act was passed to this effect and purpose.[313]

The abbey of Evesham was among the number of those which last of all became the property of the king. It had been visited in common with the rest in 1538, by the commissioners appointed for these parts, but their report upon its state does not at present appear. The loss is perhaps attributable to the zeal of queen Mary; who, according to Burnet, gave a commission to Bonner and others to raze out of the public records whatever had been done by her father against the monks and the pope,—particularly the accounts of the visitations of monasteries.[314] We are therefore satisfied to receive as evidence of its order and morality the general declaration contained in the preamble of the statute which suppressed the lesser houses—wherein noticing the accounts of the king's recent visitations, thanks are given to God that within "divers and great solemn monasteries of this realm, religion is right well kept and observed."[315] This opinion is confirmed by an original Letter from Evesham, written shortly before the resignation, and discovered during our search after the Report of the Visitors. From this we learn that exertions were made to preserve this monastery, among those which Cranmer endeavoured to persuade the king to spare that they might be employed as hospitals, and as schools for the people. In this document—printed at length in our Appendix[316]—the abbot and convent pray that this house, as one of royal foundation, "may be one of those monasteries which his grace doth so godly intend to dispose and reserve, as to his princely wisdom and most gracious intent shall seem most decent and expedient." On this account they at the same time urge its fitness—from its extent and salubrious site, also as being within the town of Evesham, through which there is great thoroughfare to Wales—"to receive the king's most noble grace and person, with his royal court, at

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[313] Statutes at Large: 31st Henry VIII. cap. xiii.

[314] Rapin's England, vol. ii. page 45 edition 1743.

[315] Act, 27th Henry VIII. c. 28, for Suppressing all Monasteries which have not lands above £200 by the year.

[316] Letter from the Abbot and Convent to Sir Thomas Crumwell knight, Lorde Crumwell,—in Appendix, No. III.

such times as shall please his Highness to repair or have recourse to the said parts." And also that being "situate within the principality of Wales," and near the kings council of his marches of Wales, it is in the way to receive also such noblemen as are called to attend that council; and this the more so, as in the adjoining shire of Warwick there was then "no monastery standing."

It is possible, from the delay evinced toward Evesham, that these representations were admitted for a while, until the king abandoned his half-intention to preserve some of the abbeys for charitable or scholastic uses,—and then these which were longest spared, fell as unreservedly as those which had been destroyed earlier. So late as in the parliament opened 28th April, 1539, where only twenty abbots appeared—three personally and the rest by proxy—we learn from the Journals of the House of Lords that the abbot of Evesham was among the latter. But in this year Philip Hawford—who had been made abbot by the king—surrendered the abbey when required, as had apparently been preconcerted. The date, as given in the Lansdowne MS. is the 17th November, 31st of Henry VIII. but the deed of resignation we have not been able to discover. In part of an official letter from the commissioners, dated from Lanthony on the 17th of March [after], the circumstance is communicated to Cromwell, as given in the extract beneath.[317]

Afterward, the ex-abbot entered upon other preferment as the reward of his compliances; and to most of the monks, who now left that edifice which had so long sheltered their predecessors and themselves, pensions were assigned for life: and as late as 1553, there still remained as recipients, Robert Throgmorton, the late high-steward; William Cokeson, late auditor; John Feckenham, then dean of St. Paul's; and fifty other deprived members of this

[317] "My duete most humbly remembryd, it may please your lordyship to bee advertesed that according to yowr commawndment I have byn att Evesham and ther receyvyd the resignation of th' abbott, whiche he was contentyd to make immediatly uppon the sight of your lordyshipps letters, saving thatt he desiryd me very instantly that I wold nott open the same during the tyme of my being here, bicause (as he sayd) it wold bee notyd thatt he was compellyd to resigne for fear of deprivation. As touching his pension and the assurance thereof, he hath made certayn requests, submitting himself to bee ordred in all things as to your lordeshipp shall be thought mete."—*Letter from William Petre to Cromwell, Lord Privy Seal,* dated 17th March, [year omitted]—in Cottonian MS. Cleopatra E iv.

house; whose pensions varied from £1 6*s.* 8*d.* to £10 a year.[318] At the time of the suppression, the inmates, as stated by Nash, were eighty-nine religious, and sixty-five servants. The yearly revenue, as given by the commissioners at the surrender, amounts, as will be seen from our Appendix, to £1829 10*s.*[319] But with regard to this amount, it is generally admitted that the accounts rendered to the visitors fell far short of the actual revenue of each house. This was in part occasioned by leases granted at a low rental, which was equipoised by heavy fines at each renewal: so that the actual income of any religious house is usually estimated at double the nominal value. The revenue of Evesham abbey, thus calculated—taking also into consideration the difference in the value of money at the present day—would render its possessions at least equal to £80,000 a year.

The revenue was ample. Was it consistently employed? We incline to the opinion that, for the period, it was so. It should be remembered that the daily ceremonials of monastic worship were costly in the extreme: finely woven fabrics, richest tissues, wax-lights in profusion, gold and jewels, frankincense and spices, were constantly employed. Architecture, painting, and sculpture, were alike in requisition,—to preserve, extend, remodel, or adorn, the spacious structures appropriated to and dependent on the convent. Further—the holders of church-property *then* sustained the needy inhabitant, and relieved the destitute and wandering stranger. And here such aid was not restricted to the town—for the whole Vale of Evesham was their benefice and their advowson! Lastly, the convent was bound to receive and entertain munificently all travellers of rank, with their numerous dependents; especially such as were connected with the court, and in particular the sovereign and his train, whenever—as some did—he progressed toward Evesham. Occasional abuses of expenditure there doubtless were; we know not how often: and occasionally, too, there may have been unprincipled and luxurious abbots; their own chroniclers depict, at

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[318] From a Pension-roll signed by Queen Mary in 1553, in British Museum.

[319] Abstract and Translation of Roll 33 Henry VIII. entitled "Monasterium de Evesham: Comput' Ministrorum Domini Regis temp. Hen. VIII." preserved in the Augmentation Office,—in our *Appendix*, No. IV.

least, one such character. We write not thus in apology, nor in accusation. The revenue, apart from further consideration, sounds startling: we merely suggest some purposes to which it was constantly and of necessity applied.

In addition to the property enumerated in the schedule already cited—the abbots of Evesham, in their own right and that of their cells, possessed the advowsons of the following churches. In *Worcestershire*, All-saints, St. Lawrence, and Bengeworth, in Evesham; Great and Little Hampton, Bretforton, Church Honeybourne, Offenham, North-and-Middle and South Littleton, Norton and Lenchwick, Badsey, Wickhamford, Ombersley, Oldborough, Abbots' Morton,[320] Beoly,[321] Southwick,[322] and St. Alban's rectory in Worcester.[323] In *Gloucestershire*, the advowsons of Addlestrop, Aston Somerville, Broadwell, Pebworth, Saintbury, Stow, and Willersey.[324] In *Northamptonshire*, the advowson of Badby.[325] In *Warwickshire*, the advowsons of Barford, Butler's Marston, and Kinewarton,[326] with sundry payments yearly from other churches in that county. In *Lancashire*, Penwortham, Northemelys, and Leylond.[327] In addition to these were the advowsons of Cornwell, in Oxfordshire; Mickleton, in the diocese of Worcester; Merington, in that of Lincoln; St. Michael's, Cornhill, London; and Hillingdon, in the county of Middlesex: all which, according to Newcourt, belonged to this abbey.[328] All oblations made at the image of St. John the Baptist, in the chapel of Southstone, in the parish of Stanford and county of Worcester, were also appropriated to this abbey.[329] The offertory-dish employed for the purpose was, a few years since, in the possession of the Winnington family, and is engraved in Dr. Nash's Worcestershire.

Though not enumerated in the schedule before referred to—this abbey possessed other lands or entire manors in Lichberrow, Aston

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[320] Tindal's Evesham, pp. 78-82. [321] Nash's Worcestershire, vol. i. p. 73.

[322] Endowment of Worcester Chapter, in Green's Worcester.

[323] Atkyns' Gloucestershire. [324] Ibid. [325] Bridges' Northamptonshire.

[326] Dugdale's Warwickshire, edition 1656, pages 387, 430, 610.

[327] Cell of Penwortham, in New Monasticon, vol. IV. page 421.

[328] Newcourt's Repertorium Ecclesiasticum.

[329] Valor Ecclesiasticus, 26 Henry VIII. [Record Commission] vol. iii. page 253.

Somerville, Bledington, Bourton, Huddlecote, Pebworth, Upper Slaughter, Arden's Grafton, Kinewarton, Kingle, Oversley, Ragley, Coughton, Sulstone, Radford, Beauchamp's Court, Cokebevington, Wodebevington, Edwardstowe, Nethercote, Lanstoke, Eyford, Gloucester, and Wrottesley.[330] The property at Coughton was, according to Dugdale, given to the convent by members of the Throckmorton family in the reign of Henry VI. for maintaining a priest to sing divine service perpetually at the altar of our Lady in the great church at Evesham, for the welfare of the king and queen and of the donors during life, and for the health of their souls after their departure, together with that of the souls of the king's father and grandfather, the late queen Katherine, the immediate predecessors of the donors with their ancestors, and all the faithful deceased.[331]

The antiquary Leland, who visited the monastery shortly after its surrender, found as the remains of the conventual library, the following works:—Calchidius super Timæum Platonis—Liber peri Ermeneias Apuleii—Adæ, Eveshamensis Abbatis, ad Virgines de Godstowe—Idem, de Miraculo Eucharistiæ ad Raynaldum—Ejusdem aliquot Epistolæ—Historia Pauli de Casina—and Fortunatus."[332] Such were the scanty fragments of that voluminous collection, which the constant occupation of the monks as copyists during then eight centuries, must necessarily have accumulated. But our ecclesiastical libraries appear to have been subjects of spoliation for some time previous to the dissolution of monasteries; and so general was the destruction afterward, that in 1550 the king's library at Westminster was by an order in council purged of all missals, legends, and such like. Several of the collegiate libraries at Oxford were, according to Wood, in like manner stripped of the labours of the schoolmen, and their books devoted to the flames.[333] At Malmesbury, an antiquary who passed through that town many years after the Dissolution, records that the bakers had not even then consumed, in heating their ovens, the manuscripts which they had obtained from the dismantled abbey there.[334]

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[330] Acquisitions enumerated under various Abbots, in *De Gestis Abbatum*, Harl. MS. 3763: also Valor Ecclesiasticus in 26 Henry VIII. vol. iii. pp. 253, *et seq.*

[331] Monasticon, vol. ii. page 750. [332] Collectanea, ed. 1770, tom. iv. p. 160.

[333] Wood's University of Oxon. p. 271; in Green's Worcester, page 126.

The mode in which the possessions of this richly endowed abbey were disposed of by the king, will next demand attention. The surrender was taken, as we have seen, in the 31st year of Henry VIII. but the site and estates were retained in the crown for the space of three years after. During that period we have reason to conclude that the monastery, with its church, cloister, chapter-house, and library, were dismantled and partially taken down, as being "superfluous edifices." In such case, we find from the procedure of the commissioners at other places, that the bells and lead were reserved to the crown,[335] while all the stone, shingle, timber, glass, iron, pavements, marble grave-stones, roodlofts and pictures, were sold piecemeal to various purchasers, who were to pay for the same "to the king and his heirs." Philip Hoby, afterward Sir Philip, appears early among the bargainers for the materials here. In a letter lately published by the Camden Society—given in our Appendix, No. IV.—he desires to purchase "some partt off the stone that shuld be solde at Evisham," because in building, he "wyll requyre a grett partt off that stone that ys unsold there." Then, declaring to his correspondent—"consernyng the spoyle or waste that ye wrate to me off that hath be done there, I assure yow both I and myne be gyltles thereoff, besydes that hit did cost me money to persons ffor a long tyme nyghtly to weche and to take hede lest any thyng shuld to be mysordered there"—he adds, "at your there beyng and others the kynge's highnes commyssyoners, ye remember that there was no lytell spoyle made."[336]

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[334] Letters by Eminent Persons in Seventeenth and Eighteenth Centuries, i. p. 278.

[335] The grant at Evesham excepted and reserved to the king "all the bells and all the lead of, in, and upon the church and belfry of the said late monastery existing."

[336] The speed with which these ancient structures were taken down, as well as the plunder to which they were immediately exposed, appear from the following extracts taken from the volume of Letters addressed to Cromwell, in the Cotton. MS. marked Cleopatra E iv. The first extract is from a letter of Dr. London respecting a friary at Reading. "As soon as I hadde taken the fryers surrendre, the multytude of the poverty of the towne resortyd thedyr, and all thinge that myght be hadde they stole away, insomyche that they hadde convayd the very clapers of the bellys."—The next is from a letter dated March 23, 1537, signed "John Portinari," and relates to the priory church of Lewes. "I told your lordshyp of a vaute on the ryghte syde of the hyghe altare, that was borne up with fower greate pillars, having about it v. chappelles, whych be compased in with the walles lxx. . . . . of length, that is fete ccx.

Three years after the suppression, a royal grant dated July 30, in the 34th year of the king, conveyed to the same Philip Hoby, esq. "the house and site of the late dissolved monastery of Evesham, in the county of Worcester, and all messuages, houses, pools, vineyards, orchards, gardens, lands, and soil, lying and being, as well within as without, and next and near the site, fence, compass, circuit, and precinct of the same late monastery." And, after perusing our marginal extracts from the letters of Dr. London and Portinari, we need not marvel at finding the monastery here, soon after rented as a quarry for stone! "By a long lease," says Fuller, "it was in the possession of one Mr. Andrewes, father and son; whose grandchilde living now at Berkhampsteed in Hertfordshire, hath better thriven by God's blessing on his own industry, than his father and grandfather did with Evesham abbey: the sale of the stones whereof he imputeth a cause of their ill successe."[337] So late as the year 1657, the remains appear not to have been entirely worked out: but as it then seemed needful to be more sparing of the residue, the corporation in this year order that the churchwardens of the several parishes in the borough no longer sell limestone, indiscriminately, of or belonging to the churches; but preserve the same for public use, under warrant of the mayor and corporation.[338] Surely, at such an extermination, we may well exclaim in the poetic strains of ancient prophecy—"Our holy and our beautiful house where our fathers praised Thee, they have defiled; casting down the dwelling-place of thy name to the ground: yea, they break down the carved work thereof, at once, with axes and hammers."[339] But we for-

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All thys is down a Thursday and Fryday last. Now we ar pluckyng down an hygher vaute, borne up by fower thicke and grose pillars, xiiij. fote fro syde to syde, abowt in circumference xlv. fote. Thys shall downe for our second worke . . . . . and that your lordshyp may knowe with how many men we have don thys, we browght from London xvij. persons, 3 carpentars, 2 smythes, 2 plummars, and one that kepith the fornace. Every of these attendith to hys own office: x. of them hewed the walles abowte, among the whych ther were 3 carpentars: thiese made proctes to undersette wher the other cutte away, thother brake and cutte the waules. Thiese ar meu exercised mvch better then the men that we fynd here in the contrey. . . . . A Tuesday they began to cast the ledde, and it shalbe don with such diligence and savyng as may be, so that our trust is your lordshyp shall be moch satisfied with that we do."

[337] Fuller's Church History, page 369.

[338] Entry in Corporation Book, signed by Tho. Millner, mayor.

[339] Isaiah liv. and Psalm lxxiv.

bear :—feeling in some degree the truth of an observation made by a modern historian, respecting the more usual sources of prejudice against the suppression of monasteries by Henry the Eighth,—that "in some, the love of antiquity produces a sort of fanciful illusion; and the very sight of those buildings so magnificent in their prosperous hour, so beautiful even in their present ruin, begets a sympathy for those who founded and inhabited them."[340] And though within the cells of monachism there had lodged for ages some of the brightest geniuses, the most inquiring minds, the most devotional spirits of the period—we would by no means desire, even in fancy, the longer continuance of such institutions: convinced that while the royal despot sought merely the extension of his own authority and the mortification of his papal opponent, a higher power beheld with calm complacency these "potsherds of the earth" dashing against each other; and out of that which—had Henry's object been completed—would only have rivetted the same fetters of mental thraldom by other hands, the all-wise Ruler of the universe has by the controlment of his providence secured the loftiest result. His hand thus snapt the bond asunder, and set the imprisoned spirit free.

Alas! how many godly, generous, and noble souls has the thraldom of Romanism chilled, and repressed, and left hopelessly desponding. Consigning them to perpetual penances and reiterated deprecations: as though the Fountain of all justice, and equity, and sympathy, and mercy, were a mere unrelenting, insatiable, taskmaster.—And are there at present *no* symptoms of any such perverted notions of the divine requirement, fostered by the self-contradicting dogmas and indiscriminate denunciations of *any* among Protestants?

Of the appropriation of different parts of the monastic fabric our notice can be but brief. In consideration of the sum of £891 10*s.* the house and site of the monastery, together with 625½ acres, of meadow, pasture, and wood lands, retained by the abbey in demesne and situate in the parishes of St. Lawrence and All-saints, were in the 34th of Henry VIII. granted to Philip Hoby, esq.—afterward Sir Philip—together with other monastic property in the counties of Gloucester and Worcester. This individual, son of William Hoby

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[340] Hallam's Constitutional History of England, vol. i. page 100.

of Leominster, had been brought to court when young, by the earl of Worcester. Here, having passed through the offices then bestowed on young gentlemen to qualify them for state affairs, he rose to wealth and power; and with his lady he at an early period became a zealous reformer. He was then made a privy councillor, and was employed as ambassador from Henry to the emperor Charles the Fifth. In return for his able services in this embassy he came in for a large share of those ecclesiastical possessions which the king had now opportunity to bestow upon his favorites. One of Sir Philip's country-seats appears to have been upon a former corn-farm of the abbey domain, at Aldington, near to Evesham: and while resident here, in the fifth of Edward VI.—1551—a dispensation passed the privy seal, permitting him and those who dined at his table during his life, to eat meat and dishes made of milk, in Lent and on other fasts, freely and without punishment.[341] He died without issue at his house in London, May 31st 1558, and is interred at Bisham in Berkshire, where was his principal residence: the site of that charmingly situated abbey, upon the banks of Thames, having been granted him in 1552 by Edward VI. His tomb is erected there in a spacious chapel adjoining the chancel of the parish church, and is surmounted with the effigies of himself and of sir Thomas Hoby his brother. These armed figures, elaborately carved at full length in alabaster, are not laid upon the expansive altar-tomb in the old devotional posture, but are represented reclining at ease, resting the head upon the elbow. With reference to this, then prevalent alteration of monumental posture, Webster, in the following century, sarcastically observes that—"prince's images on their tombs do not lie as they were wont, seeming to pray up to heaven: but with their hands under their cheeks, as if they died of the toothache: they are not carved with their eyes fixed upon the stars; but, as their minds were wholly bent upon the world, the self-same way they seem to turn their faces."[342] There is also a heraldic window in the same chapel, remarkable for its elaborate emblazonment of the family arms. But as we were compelled to visit the church by candle-light, during a choking fog in the depth of winter, we could only descry the outline of its tracery.

[341] Nash's Worcestershire, i. p. 52. [342] Tragedy of the Duchess of Malfy.

The almonry of the abbey, with its garden, court, and kitchen, two stables, the barton-gate and dovehouse over, the hind garden and storehouse, with other premises were appointed, amongst other things, by the king's commissioners "to sir Philippe Hayford late abbotte there, for terme of his life," without any payment for the same or any portion thereof.[343] The chamberlain's chamber, a kitchen, a garden, a little court, a house called the tailor's house, an orchard within the park, one fish-pool, with "other easements and comodities in the letters of Clemente Lichfilde, sometime abbotte of Evesham foresaid," were assigned for the term of his—Lichfield's—life, without any payment.[344] The buildings called the Receipt—which the stewards of the monastery used, and where the records had been kept—were to remain; as also the steward's residence, with its garden and dove-house. The dormitory and the prince's chambers, within the monastery, were reserved for the officers of the court of Augmentation "when they shall repair hither," with all orchards, gardens, yards, stables, haylofts, ponds and stews pertaining.

In the 36th of Henry VIII. the king by letters patent granted a further portion of the abbey demesne land, situate in a place called Higden, now Longsmall, in the parish of St. Lawrence, to Daniel Woodward, gent. and William Shelden, esquire, to be held of the manor of Wendow-ferry, now Wendover, in Bucks, by fealty in socage, and not *in capite*.

On the 2d of October, in the thirty-eighth of Henry VIII. a grant was made of abbey property, exclusively at Evesham, to sir Philip Hoby, knight, "in consideration of the faithful and acceptable service" performed by him for the king, as well as of £1067 2*s*. 11*d*. recited as paid by him to the treasurer of the court of Augmentations, for the king's use. In this grant are included, a messuage, tenement and garden in Merstowe, then in tenure of the vicar of St. Lawrence; eighty-seven messuages with gardens, as specified; all the chambers, shops, houses and buildings, called the old Sextry [sacristy]; another stack of houses, buildings and shops; two closes, a barn and bakehouse, and a house called the

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[343] Syte and Demesnes of the Abby of Evesham: copy of Phillip Hobbye's Particular.—*In New Monasticon*, vol. ii. page 43. [344] Ibid.

Grange. All these are in the parish of St. Lawrence. Then follow eighty-four messuages and gardens, two closes, a barn and three water mills, all in the parish of All-saints; together with the fishery of the river and of the flood gates, from Evesham mills to "Offenham, otherwise Twyford Bridge:" all these messuages, mills, fishery, lands and tenements, being described as having recently belonged "to the said late dissolved monastery of Evesham." A few messuages and gardens are hence excepted to the king; some of which, till redeemed within these few years, continued to pay chief-rents to the crown: and "all advowsons and rights of patronage of the rectories of the churches and ecclesiastical benefices in Evesham," are excepted in like manner.

Notwithstanding the formal recital of payment from Sir Philip to the crown, at the commencement of the last grant, such payment seems only to have been entered into by recognizances, and to have been subsequently released. For in the fourth of Edward VI. the king, by letters patent tested at Westminster 13th January, "in consideration of the true and faithful service heretofore done" by sir Philip Hoby, acquits and discharges him, his heirs and executors, from the sum of £1100 due to his late royal father, and for payment of which, the said grantee with sir Thomas Speke, knight, were bound by recognizances dated 4th November, in the thirty-eighth of Henry VIII.; and king Edward further releases Sir Philip from other payments contracted during his own reign and that of his predecessor, for property of late pertaining to this abbey, in Offenham, Hudicote-Bartram, and other places.[345]

In addition to the grants already noticed, we find from the governing charter of the borough, that Sir Philip had also held the office of bailiff of the hundred and liberty of Blakenhurste, "parcel of the possessions of the late monastery of Evesham." Though the office is by this charter transferred to the mayor and corporation; and in 1615 it was let by them to a deputy-bailiff at £8, and in 1623 at £10 yearly; these payments being reserved in the corporation book to the use of the chamber.

In endeavouring to trace the subsequent transfer of the landed

[345] The original is now in the possession of Sir Thomas Phillipps, bart. and was inspected by the writer in October, 1836, at Middle Hill.

portion of this property, we find that sir Philip Hoby, or persons claiming under him, disposed of it to different individuals. Among these was one of the Courtene family, who seem to have resided at Sir Philip's former seat in Aldington; as in 1622, Peter Courtene of that place was created a baronet. Mr. William Courtene, an eminent merchant in the reign of Charles II., in consideration of the sum of £8000, conveyed in 1664 to Edward Rudge, esq. of London, merchant, so much of the property as now admeasures nearly 260 acres, together with the Crown Inn, garden, and wharf adjoining; the gardens next the churchyard; and certain tenements and royalties specified in the conveyance. Of this original purchase the present Mr. Rudge is now seised; to which has since been added by purchases, made chiefly by himself, upwards of 326 acres of the original abbey demesne. The total quantity of arable, garden, and meadow land, distinct from building sites, in the parishes of St. Lawrence and All-saints—the whole of which was included in the same demesne—is by modern admeasurement 792 acres, 3 roods, and 7 perches. Of this, 361A. 1R. 18P. are in the parish of All-saints; and 431A. 1R. 29P. are in the parish of St. Lawrence.

In addition to the abbey property already noticed as alienated to sir Philip Hoby by the crown, several estates in the vicinity, also pertaining to it, were granted him in like manner. Among these were the entire manors of Norton and Lenchwick, Great and Little Hampton, Badsey and Aldington, Abbot's Salford, Hudlecot and Bartram, and Evenload: also the abbey lands at Bourton, Abbot's Morton, Upper Slaughter, Eyford and Broadwell, with all or great part of that at Church Honeybourne, and the park called Shrevell or Thornhill, in Bengeworth. The advowson of Elmley Castle—not belonging to Evesham—and the endowment of a chantry there, with that of another chantry at Tredington, were in like manner alienated to Sir Philip.[346] But these vast possessions continued in the family only for a few years. The greater part was sold to different persons by sir Thomas Hoby, nephew of the original grantee; and in 1776 the family became extinct, in default of heirs male.

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[346] Nash's Worcestershire; Dugdale's Warwickshire; Rudder's Gloucestershire; and Sir Philip Hoby's "Particular," copied in Monasticon.

CHAPTER VII.

EVESHAM IN ITS INFANCY— CONDITION AT THE CONQUEST—SUBSEQUENT IMPORTANCE— APPEARANCE AT THE PRESENT DAY.

THE earliest information we possess respecting the actual condition of the town of Evesham, is that presented in the survey made by order of William the Conqueror, begun in the year 1080 and finished in the year 1086. The record is entitled "Liber Censualis Angliæ," but is usually termed Domesday Book; and is the most ancient, valuable, and curious record, of which this country has to boast. The venerable original, comprised in two volumes upon vellum, is carefully preserved in the chapter-room of Westminster Abbey; where its time-hallowed pages, still fair and legible, may be consulted or transcribed upon payment of the appointed fees. Its usual name is supposed by some to have originated from the *domus Dei*, or treasury, at Winchester, where it was originally kept: though it appears to us more probable that this confessedly popular appellation was compounded of the native words ðom and ðaȝ, signifying a period of account. From this important survey, judgment was to be given upon the value, tenure, and service, of lands throughout the kingdom: by which means the Norman conqueror acquired an exact knowledge of the possessions of the crown; the names of the landholders; the military strength of his newly-acquired kingdom; and the possibility of increasing the revenue in some cases, or of lowering the assessment in others. In addition to which, it afterward furnished a register of appeal, when titles to property were disputed.

The care with which, in consequence, it was effected, appears in the method employed. Commissioners, styled the king's justiciaries, were appointed to adjust it. These officers inquired, upon oath, from juries, composed of the sheriff of every county, the lord of every manor, the presbyter of every church, the reve of every hundred, the bailiffs and six villani of every village—the following particulars. The name of the place; who held it in the time of Edward the Confessor; who was the present possessor; how many hides were in the manor; how many carucates in demesne; how many homagers; how many villani; how many cotarii; how many servi; what free-men; how many tenants in socage; what quantity of wood; how much meadow and pasture; what mills and fishponds; how much added or taken away; what the gross value in king Edward's time; what the present value; and how much each free-man or soc-man hath or had. The value of every estate was thus thrice estimated. First, was given its value in the time of the Confessor; then, as bestowed by king William; and, thirdly, as it stood at the formation of the record.

The survey of Evesham, which we now proceed to copy, as nearly as moveable types will admit, from the national fac-simile edition, presents a tolerable instance of reply to these several queries.

Terra Ecc̃læ De evesham

·X·In Evesham uilla ubi sedet abbatia sunt 7 fuer̄ sep̄. iii hidæ liberæ
Ibi sunt in dnio. iij. car̃. 7 xxvij. bord. seruientes curiæ,
7 hn̄t. iiij. car̃. Ibi molin̄ de. xxx. solid. 7 xx. ac. p'ti,
De censu hominū ibi manentiū. xx. solid̄.
T. R. E. ualb̃. lx, solid̄, 7 post: iiij, lib̄, Modo; cx, solid̄,

This brief, but pithy information, may, we conceive, be literally rendered thus:—

"LAND OF THE CHURCH OF EVESHAM:

"In Evesham vill,[347] where the abbey stands, are and always have been, three hides[348] free.[349] There are, in demesne,[350] three caru-

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[347] *Villa*—was another term for a lordship or estate.—*Introd. to Nichol's Leicestersh.*

[348] *Hida.*—The hide was a Saxon measurement; it varied in different counties, but may in general be averaged at one hundred acres.

[349] *Liberæ.*—"By a custom whose origin is lost in its antiquity, all their [the Anglo-saxons] lands, unless specially exempted, were liable to three great burdens—the

cates;[351] and twenty-seven bordarii,[352] doing service to the [abbot's] court, hold four carucates. The mill[353] here is [worth] thirty solidi;[354] and [there are] twenty acres pasture. The tax from inhabitants stationary there [is] twenty solidi. In the time of king Edward it was worth sixty solidi; and after, four libræ;[355] now, one hundred and ten solidi."

By this valuable register we are here admitted to a view of Evesham, in its infancy. Three hundred and seventy years had now elapsed, since first its silent glades resounded with the crash of falling trees—hewn for its Saxon monastery. That earliest erection tenanted, its church complete, its founder numbered with the dead, his sainted relics solemnly enshrined,—legends of the sanctity of Holme and wonders wrought at Ecgwin's tomb, had gradually induced, we may presume, the settlement of families upon this privileged and fertile spot. But at that period the monastery of Evesham had not yet attained its afterward important station. It had, up to this era, struggled for existence through centuries of strife; contending against a host of enemies—laical and priestly, Saxons and Danes—all hungering for its possessions or control. The rightful occupants of St. Ecgwin's monastery, thus scarcely able to main-

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building and reparation of bridges and fortifications, and to military expeditions."—*Turner's Anglo-saxon History*, vol. i.

[350] *Dominia.*—The lord divided his estate into two parts; the one, retained for his own support and cultivated by his villeins, was termed his *demesne:* the other, he parcelled out among his dependants, who gave him their services in return.

[351] *Carucata.*—The carucate was a Norman measurement, applied only to *arable* land; being as much as could be managed with one plough and the beasts belonging thereto, in a year. In the text, the number of hides is *first* given as in king Edward's time; and *then* its measure in carucates.

[352] *Bordarii.*—These were superior to the servi and villani: and, from the mode in which they are here noticed, we conclude them to have been tenants upon the abbey estate, holding by performance of *agricultural* service only.

[353] *The mill.*—"In Domesday Book, wherever a mill is specified, we generally find it still subsisting."—[*Ellis.*] Such is the case in this instance; the mill above Evesham bridge occupies the site of that which belonged to the monastery and which was used by the town.

[354] The *solidus*, or shilling, was worth twelve denarii; which last was the only coin known in England till long after the period of Domesday.

[355] The *libra*, or pound of ready money, was made up, not of shillings, but of oræ, valued at twenty denarii each.

tain their hold—it was not to be expected that the place itself—to which its monastery was all in all—could, amid such changes and confusion, materially increase. We therefore find, that at the period of this survey, it was no burgh, or walled town, but simply a vill—"Evesham villa:" its inhabitants being described by the term *manentium*, and not as burgesses. By this we understand them to have been then exempt from summons to the sheriff's tourn; serving only at the abbot's court, as being within the bailiwick of his hundred.

From the period of Domesday we may, however, safely date the progress of the town toward that degree of eminence to which it soon attained. It had, after the Conquest, been unusually screened from rapine by the subservience of abbot Æyelwey. After that event, its abbots, protected by the Norman kings, continued stationary; and our native monasteries being then peopled with foreign monks who had followed the invading army,[356] the inmates of this convent rapidly augmented. Thus shortly after the accession of William the Conqueror, we find that during the abbacy of Æyelwey, the members of the convent had increased from twelve to thirty-six[357] And at the close of Robert's abbacy—who was second in rotation from Æyelwey—the church and monastery as we have seen[358] had been rebuilt, and the number of inmates was augmented to a hundred and fifty-three. This remarkable increase was doubtless attended by a proportionate addition to the number of inhabitants beyond the abbey walls. For, in the then comparatively settled state of William's acquired territory, when even the Saxon Chronicle admits that a man "might go over his kingdom unhurt, with his bosom full of gold,"[359] many would naturally prefer this spot, famed for its sanctity and fertility, and tenanted by holy men, the professed guides, councillors, and assistants, of the helpless, the ignorant, and the poor. And well—as is honestly observed by Southey—did these men then deserve their popularity. "Wherever monasteries were

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356 "Each fresh levy of armed soldiers was escorted by a new troop of tonsured clergy, who landed on the shores of England to *gaainger*, as it was then expressed."—*Thierry's Norman Conquest*, 8vo. 1841, book iv. p. 92.

357 See page 99, *ante*.

358 See page 101.

359 "Amongst other things, is not to be forgotten, that good peace that he [William I.] made in this land. So that a man of any account might go over his kingdom, unhurt, with his bosom full of gold."—*Saxon Chronicle, by Ingram*, p. 295.

founded, marshes were drained or *woods cleared*, and wastes brought into cultivation: the means of subsistence were increased by improved agriculture, and by improved horticulture new comforts were added to life. The humblest, as well as the highest pursuits, were followed in these great and most beneficial establishments. While part of the members were studying the most inscrutable points of theology, and indulging themselves in logical subtelties of psychological research .... others were employed in teaching babes and children the rudiments of useful knowledge; others as copyists, limners, carvers, workers in wood and in stone and in metal, and in trades and manufactures, of every kind which the community required."[360] Nor should we, even while convinced of the after-abuses of such institutions, refuse to consider that throughout the ages of their worst condition all were not ignorant or indolent whom they then contained. For to their lonely cells had constantly and most naturally been attracted, during the circle of eight hundred years, some of the most pious, thoughtful, and talented of the nation.

Having, in copying the Domesday survey of *Evesham*, presented the earliest information of the actual state of that division of the subsequent town; it now remains that we transcribe from the same venerable record, similar information respecting that portion of the modern borough, which stands upon the eastern bank of the river and retains in the present appellation of *Bengeworth*—its original, and almost uninjured, Anglo-saxon name. At the time of Domesday, this parish formed part of the manor of Cropthorne; which had, according to Nash, been given to the cathedral of Worcester by king Burhred.[361] Bengeworth is therefore first registered under the manor of Cropthorne, among the land belonging to the church of Worcester. The following portion of this entry relates particularly to the property possessed in Bengeworth parish.

De eod. M. ten. abb. de Ebesha. iiij. hid. in Bennicworte et ibid. ten. Ursu uicecom. bi. hid, et ibi. ht. ij, car. et pij. uill. et ij. bord. cu. iij car. et dimid. Ibi. bi. serui. et i. ancilla et bi. ac. p'ti. Valb. lx, sol, modo, iiij lib, et x. solid.

Of this, a very close translation may be given thus:—"Of the same manor [Cropthorne] the abbot of Evesham holds four hides, in

[360] Southey's Book of the Church, v. i. [361] Nash's Worcestershire, v. ii. p. 60.

Bengeworth. And in the same place Urso the sheriff holds six hides, and hath there [in demesne] two carucates and twelve villani,[362] and two bordarii with three carucates and a half. Here are six servi,[363] and one ancilla,[364] and six acres of pasture. It was worth sixty solidi; now, four libræ and ten solidi." On a succeeding folio of the original, under "Lands of the Church of Evesham," Bengeworth again occurs. In this second entry the property of the abbey is principally noticed; as that of Urso had been before:—

Ipsa æccla. ten. iiij. hid. ad Beningeorde. et b^ta hid. ten. Urso. Has b. hid. diratiocinauit Walt. abb. ad Eldebergam in iiij sciris cora. epo. baiocensi et aliis baronib; regis.
Ibi sunt. ij. car. et b. uilli et ii. bord. cu. ii car. Ibi bt. serui T. R. E. ualb. lx. solid. et post l sol. Modo. lx. sol.

Of this, a literal rendering may be given thus:—"The same church [Evesham] holds four hides in Bengeworth,[365] and Urso holds five hides [there]; these five hides abbot Walter [of Evesham] laid claim to, at Ildeberga in the four shires, before the bishop of Bajeux and other barons of the king. Here are [in demesne] two carucates and five villani, and two bordarii hold two carucates; [there are] also six servi. In king Edward's time it was worth sixty solidi; and afterward fifty solidi; and now, sixty solidi again." In the former

[362] *Villani.*—The clearest notion of this class, is considered to be that conveyed by Sir William Blackstone, in the following passage. "Villeins belonged principally to manorial lords, being either annexed to the soil or to the person of the lord, and transferable by deed from one owner to another. They held small portions of land, by way of sustaining their families, but it was at the mere will of the lord; and this upon villein services—such as carrying out dung, hedging, ditching, and any other the meanest offices. A villein could acquire no property either in lands or goods; but if he purchased either, the lord might enter upon them, oust the villein, and seise them to his own use."—*Blackstone's Commentaries*, vol. ii.

[363] *Servi* are uniformly distinguished from villani in Domesday Book. The former appear to have been villeins of the lowest grade, who without any determined tenure of land were servilely employed by the lord, maintained, and paid, at his discretion. —*Compare Kennett, in Parochial Antiquities.*

[364] *Ancillæ* appear to have been female servi, employed in domestic and servile offices at the will of the lord. Their chastity was, however, protected by the laws. —*Compare Ellis's Introduction to Domesday Book.*

[365] These four hides constituted the land acquired by abbot Æyelwey, to which the bishop of Worcester had previously laid claim before the kings' justiciaries; upon which, it was agreed that the abbot of Evesham should continue to hold, by doing homage to the bishop.—*See the Agreement in Heming's Cartulary*, p. 75.

entry,—on page 157—Urso is said to hold six hides; here they are stated as five. The abbot of Evesham probably grounded his claim to these hides of Urso upon the alleged charter of St. Ecgwin, wherein Bengeworth is enumerated among the villages annexed to his foundation by himself.[366] This claim, however, seems not to have been admitted by the royal justiciaries; the land in dispute being here registered as still retained by Urso. In both the entries respecting Bengeworth, its Saxon termination is retained;[367] thus proving it to have been even then a village. As regards the orthographical deviation from the former entry, observable in the name, —that, doubtless, was occasioned by the provincial pronunciation of the respondents in replying to the queries of the commissioners.

From these early intimations respecting Evesham and Bengeworth—since consolidated into one town,—we now proceed to notice circumstances connected with its appearance at various, but more recent periods. From a perambulation made in the 28th of Edward I. we learn that Evesham was, prior to that period, included within the royal forest of Feckenham; and that it had been so afforested since the reign of Henry II. when that king at the beginning of his reign enlarged the forest of Feckenham, of which, according to Tindal, this abbey had liberty.[368] But from the evidence given before the king's justices in the above year, 1300, respecting the original bounds of the forest, Evesham was at that time disafforested, and several adjacent villages likewise. The town is at present divided into three parishes; styled All-saints, St. Lawrence, and Bengeworth; the latter being separated from the rest, by the Avon running between. The town comprises four principal or main streets; High-street, Vine-street, and Bridge-street on the west; with Port-street, on the eastern, or opposite side. From these there branch out several others; the chief of which are Cowl-street, Ode-street,[369] and Bewdley-street. In addition to these, a considerable number of buildings has recently

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366 "Hæc verò sunt nomina villarum quas, ut supradictum est, acquisivi; Eovesham, Benyagurth," etc.—*Bp. Ecgwin's Charter, copied in Dugdale and Tindal.*

367 From the Saxon ꝑeoꞃð [weorth], signifying, according to Ingram, a village.

368 Tindal's History of Evesham, page 86.

369 Now corrupted to *Cole* and *Oat;* though ancient documents present the above as their original appellation.

been erected upon that open space between the site of the monastery and its ancient vineyard—still known by the Saxon appellation of the "Merstowe Green."[370] Though this latter spot seems to have been pre-occupied by spacious dwellings at an earlier period. One of these remains unaltered, west of the present Trumpet Inn; and another, yet more extensive, though now altered and divided, stands further west, where was recently a tan-yard.

As might be expected in a town commencing under such circumstances as have already been alluded to in the present chapter, the more ancient portions are found in the immediate vicinity of its monastery. This antiquity is particularly discernible in the situation, limited width, and ancient vestiges, discoverable in Bridge-street. Among these vestiges the present Crown Hotel is worthy

[Crown Ion, Bridge-street.]

of observation—though, while we print this sheet, it is undergoing considerable alteration,—as being evidently an ancient hostelry, of which much of the external galleries of communication remains;

[370] Compounded of the Saxon words mepe [mere] and ꝥop [stow], signifying a marshy dwelling-place.

although that side of its original quadrangle which fronted the street has, at some comparatively recent period, been taken down. Bridge-street continues to sustain its original superiority—it being still the principal street of our unobtrusive trade. Branching out from this, as inhabitants augmented, Cowl-street, Ode-street, and parts adjacent, gradually rose; and last of all, we may presume, the spacious High-street was completed, the upper part of which is built upon what was once a wood appropriated to the almonry of the abbey, and called the Almenwood.[371] The unusual width of the last street seems to have been occasioned by the desultory manner in which, we cannot but fancy that, it must have been built. At first, a dwelling here and there appears to have been erected, thrown back from the road, and leaving a space as garden-ground or homestead at the front and sides,—as still observable in villages,—the intermediate spaces being then gradually built over, the gardens in front, upon an increased communication with other towns, became absorbed into the street; and thus its present width, so very remarkable in an ancient town, appears most naturally to be accounted for. We would add that the irregular stack of buildings thrown out into the road-way at the commencement of this street—as too often the case in similar instances in ancient towns, where otherwise the air and light of heaven might be freely breathed and seen,—would long ere this have been removed, had the local authorities adopted measures to purchase each tenement as successively offered for sale; this having, we believe, happened to all of them within the last twelve years. And whenever the inhabitants shall desire seriously to rid themselves of the encroachment, this we conceive must be the method to proceed. The unincorporated resiants of Pershore, only six miles distant, have already set a most laudable example in this respect, by removing a similar excrescence from the centre of their town; and why the municipality of Evesham should thus lag behind we are really unable to explain.

The antiquary Leland, who was commissioned by Henry VIII. to make a survey of the antiquities of his country, and who accordingly spent more than six years "in rambling to and fro in this

[371] So termed in sir Philip Hoby's grant from Henry VIII. and styled such in later title-deeds.

nation, and in making researches into the bowels of antiquity,"—must have visited Evesham and its then dismantled monastery about the year 1540.[372] He thus describes in his Itinerary the appearance of the town and its vicinity at that period.—"I roade from Aulcester towardes Eovesham about 2 miles by woody and enclosed ground; and then a mile by ground less enclosed but having more corn than wood, thence about 4 miles by clean champion [champaign]. Some woode about Eovesham on the right ripe [bank] of Avon. The towne of Eovesham is meetly large and well builded with tymbre. The market-sted is fayre and large. There be divers praty streets in the towne. The market is very celebrate. In the towne is noe hospitall or other famous foundation but the late abbey. There was noe towene at Eovesham before the foundation of the abbey."[373] Hence we learn, from one who had travelled England through, that at the middle of the sixteenth century the town itself was by no means inferior in extent, appearance, and construction, to other places; and that it also claimed at that time, a degree of superiority in these respects. But there is something touching, as well as instructive, conveyed by the notice that there "is noe hospitall," now that there is 'no abbey'. The condition of the inhabitants must at the time of Leland's visit have been much depressed. Of that ecclesiastical institution with which their town had flourished and by which it had chiefly been sustained—dismantled walls, broken arches, prostrate columns, violated sepulchres, were then the only vestiges. Its local revenue no longer passed through the hands of the conventual officers, to circulate in various channels through the town; but its estates being distributed among courtiers, the rental was dissipated elsewhere. Even the town itself had, up to this period, belonged to the convent; the inhabitants holding their dwellings from the abbot, grinding at his mills, and baking in his

[372] "Afterwards he [Leland] became library keeper to the king, and had a commission from him under the broad seal, A.D. 1533, whereby he was impowered to make a search after England's antiquities, and peruse the libraries of all cathedrals, abbies, priories, colleges, &c.; as also all places wherein records, writings, and secrets of antiquity were reposed. Whereupon, in few years (after obtaining a special dispensation, A.D. 1536), he spent more than six years in rambling to and fro in this nation, and in making researches into the bowels of antiquity."—*Wood's Athenæ*, i. 67.

[373] Leland's Itinerary, vol. iv. page 69, edition 1764.

ovens, as lord of the fee. But now that paternal landlord—living in their midst, often too their adviser, helper, and friend—was exchanged for a new and strange superior, upon whom their dwellings had recently been conferred by wholesale from the crown.[374] The condition of the more dependent inhabitants must therefore have become peculiarly trying. In time of need they had hitherto repaired to the almonry of the abbey, where the hungry were daily fed; and when sick they had been visited at their houses by the almoner himself, whose office was not merely to relieve applicants, but to seek after the afflicted, to minister to their wants, to listen to their complaints and "kindly and charitably to condole with them."[375]

But after a while, the inhabitants, left thus to themselves, began to exercise more vigorously their individual energy, and a better state of things appeared. Their dwellings, no longer vested in the church, were transferable from the lay grantee; and as they passed from one family to another, the inmates took opportunity to purchase the fee, and thus became owners of their several residences, subject only to a trifling chief-rent to the crown.[376] About the same time they appear to have improved their native manufacture of woollen cloths, and in about sixty years after the dissolution of their monastery they had become an incorporated town.

And now in the same century,—that which immediately succeeded the monastic overthrow—the unconstitutional imposition termed "ship-money," in withstanding which Hampden and his fellows fought and fell—furnishes us with means of ascertaining the relative importance of this town during the reign of Charles the First. In the schedules to the assessment made in 1636, we find the borough of Evesham ranked among the nine highest-rated corporate towns in the kingdom, county towns and cities excepted; it being

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374 The grants from Henry VIII. to Sir Philip Hoby confer tenements in Evesham by masses of seventy at a time.

375 "It is the almoner's office either to enquire himself, or procure proper persons to enquire for him, and that with the utmost care and solicitude, where any sick or infirm persons reside who have not a sufficient support. . . . . Having entered the house, he must kindly and charitably condole with the sick person and offer him the best of what he has and whatever he may understand shall be necessary to him."—*Abbey Register, Harleian MS.* 3763, folio 205; translated in *Tindal*, p. 188.

376 The last of these have during living memory been redeemed by the holders.

on account of its importance proportionably taxed with a payment of £74 toward the king's despotic measure.[377]

Since the before-mentioned survey made by Leland, the streets of Evesham have been from time to time the subjects of much improvement. Its "tymbre" tenements are now, with few exceptions, supplanted by more uniform structures of brick or stone; its carriage-ways are steyned; its foot-paths paved; and its thoroughfares are well lighted with gas. Above all, the general aspect of the town is distinguished by an air of cleanliness and respectability, which visitors universally remark.

At the lower end of Bridge-street, an ancient stone bridge of eight arches crosses the river, and communicates with the opposite side of the town. The earliest mention of a bridge here, occurs in the monastic chronicles,[378] during the abbacy of William de Andeville, in 1159. From this and other authority we learn, that at its foot the Beauchamps earls of Warwick had intrenched themselves in a castle on the Bengeworth side; whither their lawless bands emerged from time to time to plunder or destroy the property of the convent and its tenants.[379] The site of this castle is still clearly pointed out by the name attached to a plot of ground contiguous to the bridge at its north-east angle, which continues to be termed "the castle." Considerable traces of the moat were also recently to be seen here, though at present arched over; from the relative situation of which, this defence must have commenced at the river's brink, and have returned in the opposite direction. So that the Avon defended the stronghold in front, and the moat in flank and in rear; while the barbican, or chief port of the castle, commanding the bridge by its situation near the present street, most probably conferred on that the ancient name of *Port-street;* which appella-

[377] Among cities and county towns (distinguished from the above class), the ancient cities of Rochester and Bath, as also the county town of Buckingham, are rated at only £70 each. The important city of Chichester is only rated at £3 7*s.* 8*d.* above Evesham: while Birmingham and Manchester were then considered too insignificant to be assessed at all.—*See copy of Schedule in Lord Nugent's Life of Hampden*—varying slightly from that in *Rushworth's Collections;* though Evesham stands the same in both.

[378] Harleian MS. in British Museum, before referred to: see page 103.

[379] Compare MS. Harleian 229, folio 17; MS. Cottonian, Vesp. B. xv. folio 17; also Fabyan's Chronicle, by Ellis, cited on page 122, in a former chapter.

tion it still retains. As at the period of Domesday no castle existed here, this fortress doubtless originated with those numerous strongholds erected by the Norman barons during the reign of Stephen. The existence of such was, however, in the present as in other instances, but of brief duration ; its destruction having been effected by the bold abbot De Andeville—as mentioned in our previous notice of that dignitary—very near the close of Stephen's reign.

[The Bridge, from the site of the Castle.]

Port-street—the original appearance of which is most materially improved—at present extends continuously from the bridge to the rising ground on which the church is seated. This street—in the neatness of its houses, the condition of its road and flagways, and the refreshing accompaniment of a pellucid stream murmuring on either side—now yields not, in the cheerful cleanliness of its appearance, to any other portion of the town,—through which the reader has thus been cursorily conveyed.

T. Colson del^t J.L. Williams sc.

Remains of Abbot Reginald's Gatehouse.
Abbey Precints.

1843. Published by George May, Bookseller, Evesham.

CHAPTER VIII.

CHAPEL OF ST. LAWRENCE, IN THE DEANERY AND WITHIN THE PRECINTS OF THE MONASTERY.

PASSING from Bridge-street along the eastern side of the Market-square, the parochial-burial ground is entered through the remains of a gateway exhibiting features of a more remote antiquity than any other building—with one exception which we shall shortly notice—at present standing in the town. The lateral walls of this ancient structure are relieved within by low semicircular arches resting on short semi-columns with indented capitals; the columns in front, which were also of similar character, are there partially preserved, and from these sprang the circular vault that formed the arch of the gateway. Some portion of its springing part may even yet be distinguished among the stonework at the north-western angle, behind the doorway of what is now a butcher's yard. The vault and upper portion of this gateway have wholly and together disappeared, and a timber-framed apartment now supplies their place. It is matter of regret—after the inhabitants and others have so laudably restored the Church of St. Lawrence, and while the municipal authorities have further improved the area of the market-square—that so confined and in every respect inappropriate a communication, as this has by encroachment become, should be suffered thus to continue. A few pounds contributed by the inhabitants would suffice to remove the shattered tenements that abut against and are reared upon the walls of the venerable gateway; and thus while the church-way path for the inhabitants of both parishes would be far more agreeable to those who frequent it; a very dense portion of the main street would also be additionally

ventilated, by the current of air that would then sweep from the meadows throgh the market-place. This gateway, being within the line of wall, still traceable to the Avon eastward, which abbot Reginald erected early in the twelfth century as the boundary of the abbey precincts, we consider to have been constructed at that time. In another portion of the same lofty wall, which encompassed the abbey, as well as the conventual and public burial-grounds, the contemporary relic before adverted to will be found. This is a low, circular, receding doorway, that formerly admitted to the great quadrangle of the monastey; it stands immediately southward of the chancel of St. Lawrence church, and presents the only specimen of a perfect Norman archway that remains within the town.

Having entered the public burial-ground, the spectator will regard with surprise the redundance of architectural scenery that suddenly presses upon his attention, in this retired portion of a country town. Two churches, each with its own tower and spire, in addition to the campanile or bell-tower of the monastery—being grouped together within the circuit of a few square yards. One of these churches will, from the original beauty of its architecture and the present renovated condition of the pile, immediately command attention. It is the parochial chapel of St. Lawrence, formerly subordinate to the abbey-church. This structure, as standing nearest to the site of the monastery and as being uniformly the first noticed in our ancient ecclesiastical returns, we for these reasons consider to be of much earlier origin than the adjacent building dedicated to All-saints; and therefore we proceed to notice it first in detail: premising that this as well as the adjacent chapel were both founded by the inmates of the monastery, for the use of the inhabitants of the town. Thus the great church of the abbey could be exclusively appropriated to the multitudinous observances and ceremonials of the convent, without any partial reservation within that edifice for parochial use: thereby precluding there the intervention of secular worshippers, save as distant spectators, at all times.

The earliest notice of the chapel of St. Lawrence occurs among the abbey Institutes compiled by abbot Randulph in 1223, to which we have previously referred. At that early period the chaplain was supplied by the convent, of which he was an inmate; and there he daily received his corredy of bread and beer, in the same proportion

as the other monks.[380] Even the requisites for its altar would seem to have been furnished from the abbey; for two wax-lights of four pounds weight were always to be provided here by the sacristan, to be burned during the celebration of mass.[381] At a later period the office of chaplain and curate is found held by indenture from the abbot and convent; the incumbent then receiving parochial oblations and small personal tythe, but yielding thence a yearly payment to the abbot;[382] who exercised over this and the remaining chapels of the Vale an authority equivalent not merely to rectorial but also to episcopal superiority. Of this supremacy a remarkable instance is presented in a mandate from abbot Bremesgrave—extant among the conventual registers—addressed to the parochial chaplains of St. Lawrence and All-saints. In this they are commanded either to suspend, or finally to proceed to the excommunication of offenders, within their several churches, by virtue of the abbatial authority as derived immediately from Rome.[383]

From another manuscript pertaining to the abbey, preserved in the Cotton collection, we learn that in 1271 this church was so far completed, that a conventual chapter was then held in it, during the abbacy of William de Whitchurch.[384] And in another manuscript we find that the structure was consecrated by the bishop of

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[380] "Quarum duarum capellarum sacerdotes, scilicet Sti. Laurentii et Omnium Sanctorum, debent habere cotidie de cellario panem et cervisiam, sicut monachi."—*Cottonian MS.* Augustus ii. No. 11.

[381] Evesham Register, in Harleian MS. 3763, folio 201; in Tindal, 184.

[382] Capella S'c'i Laurencij in Evesham.—Edus Fyld capellanus & curat' ib'm ꝑ t'mīo vite sue ꝑ indentur' ex concessione & dimissione abbi's & conventus monast'ij de Evesham in com' Wigorn' het ib'm in decimis ꝑsonalib's oblacōib's ac alijs annuis minorib's decimis & ꝑficuis cōib's annis—£xiij xj*s.* iij*d.* o*b*'

"Inde allor in penc̄one ꝑpetua anti' resolut' abbi mon' pdc̄i & succe' suis ꝑ anm lxxiij*s.* iv*d.*"—*Decanat' Vall' Evesham, in Valor Ecclesiasticus*, Hen. VIII. iii. 255.

[383] "Ricardus permissione divina abbas monasterii Eveshamiæ, Wigorn. diocesis, ad Romanam ecclesiam nullo medio pertinentis, ac ordinarii jurisdictionis exempti vallis Eveshamiæ, Capellanis parochialibus ecclesiarum Omnium Sanctorum et Sti. Laurentii Eveshamiæ ..... dictum R. sic fuisse et esse per nos excommunicatum vel suspensum ... in ecclesiis vestris ... publice et solempniter denunciatis, ab hujus denunciatione non cassantes."—*De Correctione Fraterna*, in Cottonian MSS. Titus C ix. folio 32.

[384] "Celebratum est capitulum apud Evesham in ecclesia Sancti Laurentij."—MS. Nero iii. D folio 342: given in Dugdale.

St. Asaph, during the abbacy of John de Brokehampton, in 1295.[385] These dates induce a supposition that the building was completed during the thirteenth century. And bearing in mind, that during this period Thomas de Marleberg and Henry Lathom then successively flourished—to whose architectural ability we have before referred—it is extremely probable that these were the persons who principally directed its construction. There are portions of the present fabric which, from their style of architecture, tend to confirm this supposition : among which we would particularly refer to the structure of the tower and spire.

The church, however, though completed and consecrated, as we have seen, has—since that period, and prior to its recent restoration —been almost rebuilt. And, while admiring the pillared arches, the clerestory above,[386] and the eastern termination of the central aisle—evidently the production of the sixteenth century—we, in the absence of further information than that implied in the traditional appellation of its chapel at the south,[387] cannot but inquire—Who was the author of this renovation, if not the mitred genius who reared the adjacent bell-tower? and who—this admitted—alike re-edified and adorned the parochial church of St. Lawrence, to which his own cathedral-like establishment was the mother-church. The recent melancholy condition of the structure naturally induces a supposition that this re-edification was suddenly stayed, upon the resignation of Abbot Lichfield, in 1539; and that the building was in consequence hastily covered in, before the external decorations were completed. For Leland—who visited the spot only seven years after—then found the structure, at least thus far, completed; and therefore tells us—"There be within the precincts of the abbey of Eovesham *two* parish churches, whither the people of the towne resort."[388] But within two centuries after this remark, the condition of the one now under review had, from some unnamed cause

[385] "Memorandum, quod anno domini M°. CC°. nonagesimo V^to^. anno vero regni regis Edwardi III^i^. . die Dominica sequente 16mo. kalend. Januarij, dedicavit idem Asaphensis ecclesiam sancti Laurentij."—*Destroyed Cottonian MS.* Vitellius E xvii. given in Stevens's Appendix to Dugdale.

[386] *Clere-story.*—The masonry that occurs between the arches next the aisles and the central ceiling.

[387] Usually termed Abbot Lichfield's Chapel. [388] Itinerary, iv. p. 69. ed. 1764.

Drawn by J.P. Neale, after a Sketch by George May. Engraved by J.C. Varrall.

Parochial Churches and Abbey Tower.

1834. Published by George May, Bookseller, Evesham.

become so impaired and dilapidated, that in 1730 a brief was granted, and nearly six hundred pounds were raised, and apparently expended for its repair. But reparation at that period, usually implied a destruction of whatever the mason considered as standing in the way of his own notions of improvement. For not contented with repairing ancient fabrics, restoration was unheeded; and "to be repaired and beautified" was then the favorite object and expression. Prior to such interference there was a chapel on the *northern* side, answering to the beautiful addition still remaining at the south. Mr. Abingdon minutely described it in the reign of Charles the First; and Willis—only two years before the miscalled 'reparation'—says that a chapel then existed 'on *each* side the body of this church, which seem to have been built about the same time as that in All-saints' church, viz. not long before the dissolution.'[389] But to effect the species of repair decided on in 1730, the northern line of pillars next the nave, the aisle beyond, as well as the chapel just referred to, were all demolished. A new wall was then erected upon the northern boundary of the aisle, which being elevated to a level with that southward of the nave, was made to sustain a roof thus stretched across this extraordinary space. As might have been anticipated, no timber so strained over such a span could long sustain the weight; and in a little time the beams gave way, leaving the roofless structure to moulder into the ruined and neglected pile which we were till recently compelled to behold. Its late appearance—which in conjunction with the adjacent structures forms an unusual as well as picturesque subject for the pencil—we have preserved in the accompanying print.

The tower with its spire and pinnacles are evidently coeval with the original church. The former rises in a square, but has each angle capriciously and singularly bevelled off between a pair of graduated buttresses of very slight projection. The battlements of the parapet are 'few and far between,' and the string-course underneath is remarkable for the small cylindrical gurgoyles or water-spouts upon which it rests. There is a stair-turret on the south-east, capped with a stunted cone; the pinnacles on the remaining angles are of the plainest kind; four others at the immediate

[389] Willis's Mitred Abbeys, vol. ii. A.D. 1728.

springing of the spire are of the same construction ; and the plain, low, pyramid-like outline of the spire itself, stamps it as one of the earliest specimens of that ultimately tapering and graceful completion to our ecclesiastical edifices. The windows in the upper story of the tower are in unison with the original character of the work ; but that in the lower division—apparently too wide to consist with the permanence of the fabric—seems, as does the entrance-way beneath, to have been inserted at a much later time. The removal of a coat of plaister from the exterior of the tower, has recently disclosed an ancient bas-relief embedded in the masonry, which we presume must have originally been employed to ornament a much earlier structure. The subject of its rude delineation is the crucifixion of the Saviour, with the usually attendant figures of the Virgin Mary and Saint John, as here delineated. A similarly

[Bas-Relief upon St.Lawrence Tower.]

sculptured stone—apparently once the head of a cross—was dug up within the area of the cloisters, about twelve years ago, but differing in the border or outer moulding. The latter is at present in the possession of Edward Rudge, esq.

The northern aisle of the church till recently presented an appearance widely differing from that to which it is now restored.

This restoration, continued throughout the building, was begun in 1836 and completed in 1837, under the direction of Mr. Harvey Eginton, at a cost of £2514 3*s.* 2*d.* Of this sum £1457 0*s.* 9*d.* was realized by voluntary contributions and interest thereon; £200 was cleared by sales effected in a public bazaar; £650 was granted by the Church-building Society; and £200 from the Diocesan Church-building Fund. The additional cost of an organ was £283 6*s.*; and this also was defrayed by voluntary contributions. The building was, upon re-completion, opened on the 16th November, 1837, by Dr. Carr, the diocesan, who preached on the occasion from Haggai i. *v.* 2. The architectural objections to the general restoration apply, we conceive, to the *addition* of a parapet along the lateral aisles, by which the original outline of the pines is much impaired: as also to the stunted figure of the two lesser eastern windows, which might readily have been obviated by copying the much more airy proportions of the two at the western termination of the aisles, one of which forms part of the original building. Internally, the expense that would have been avoided by omitting the parapet and pinnacles referred to, would have enabled the architect to have coved and ribbed the ceilings of the aisles, instead of merely plaistering them horizontally like a common room.

The exterior of the chancel projects a little beyond the lateral aisles. This portion is evidently one of the latest additions to the original fabric, and is elaborately ornamented in the early Tudor style. Not that we regard it as *completed* according to the original intent; otherwise its richly sculptured buttresses would scarcely terminate without a pinnacle, nor would they thus have flanked so unadorned and tame a pediment, devoid of either battlements or decorated parapet, as that which now surmounts the work. The great east window here, is filled with tracery, in what has been distinguished as the perpendicular style; and the buttresses that flank it, and to which allusion has been made, are most delicately carved; the lower division of each being adorned with tracery cut in panel and finished in an embattled line; upon this are seated four tiny pinnacles issuing from the salient busts of as many angels, from each of which is thrown a miniature fly-buttress, intended to give an appearance of support to the upper and concluding gradation. A range of trefoil niches with a line of quaterfoils beneath, ex-

tending below the window and round the buttresses, completes the present decoration of the chancel end. This portion of the church retains its weather-worn and mellowed aspect, it having been judiciously excepted from the pointing-tool.

The walls and windows of the southern aisle are of a plain and ancient character, in unison with the tower and spire. From hence the chantry of St. Clement—for as such we venture to distinguish it, for the reason given below[390]—projects, in the usual position of a transept or cross aisle. It is guarded at the angles by panelled buttresses, and is surmounted with a lofty and delicately-wrought embattled parapet finishing with pinnacles, a counterpart to that employed upon the summit of the abbey bell-tower, but not originally continued along the adjoining aisles.

Entering the fabric at the west, the visitor may embrace the whole interior at a view. This is chiefly attainable by the appropriate form and judicious arrangement of the pews. The central aisle is separated from that on either side by seven slender and simply-clustered columns sustaining obtusely-pointed arches with rounded haunches, having panelling in the spandrels and bounded by a string-course above. Upon this stands the clerestory with its numerous windows; the whole being of light and graceful design. The panelled ceiling was constructed by the restoring architect, in the absence of any vestige of the original covering as his guide. Had it been embowed in a line *exactly* corresponding with the arch of the east window, the harmony would have been entire.

At the commencement of the original choir the observer will remark the situation of the ancient rood-loft, or gallery formerly appropriated in our churches to the reception of the holy rood. The latter was a cross bearing the image of Jesus of the size of life, and was generally flanked by images of the Virgin and of St. John. Beneath the rood-loft was usually a carved screen of open-work, that

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[390] Mention is made in the endowment of Stourbridge Grammar School, of a chantry dedicated to St. Clement in the church of St. Lawrence, Evesham; and that referred to above is usually denominated Clement Lichfield's Chapel. The passage is this:—"Ac etiam omnia messuagia, terras, tenementa, et hæreditates cum pertin. in villa et campis de Evesham in occupat. undecim person. ib'm nominat nuper cantariis SS. Trinitatis, B. M. et S^ti^ Clementis infra parochiam S. Laurentii ib'm spectant." —*Nash's Worcestershire*, vol. ii. page 215.

admitted to the chancel. The situation is clearly indicated here by the absence of panelling upon the adjacent piers; and in that at the south, the arched opening remains that formerly admitted to the gallery itself by a newel staircase, part of which was removed during the recent alterations. The pier at the north, having then to be rebuilt, was at the same time finished to correspond with the opposite and original portion. Both these spaces are now partly screened by pulpits; an expedient to which the architect resorted, apparently to relieve the flat, occasioned by the removal long ago of the ancient carved chancel-screen and superincumbent rood-loft. Referring to such removals of church furniture—universal in his day—Harrison, during the reign of Elizabeth, thus remarks: "Finallie, whereas there was woont to be a great partition between the quire and the bodie of the church; now it is either very small or none at all: and to saie the truth altogither needlesse, sith the minister saith his service commonlie in the bodie of the church with his face toward the people, in a little tabernacle of wainscot provided for the purpose.[391]

The side aisles are inappropriately finished with modern cielings, as we have noticed; and the chantry originally situate on the northern side though at first included in the intended restoration, has not—we believe from economical considerations—been rebuilt. At the east end of the southern aisle was, till recently, a curious subterranean chapel, with a vaulted ceiling in the early pointed style, and having recesses in its southern wall, as usually prepared for altar-worship. It was descended from the aisle by a flight of steps, and was lighted from a window next the church-yard. During the late alterations, the vaulted ceiling of this chapel was broken up because, forsooth, a step would otherwise have occurred in the upper pavement! The stairs connecting it with the aisle were next destroyed and the entrance closed; and now, covered with a brick-work arch, and opening to the churchyard, when requisite, through what was once the window, it is appropriated as a private vault,—though previously occupied as a public charnel-house.

Near this spot, that gem of architecture, occasionally termed the chapel of abbot Lichfield—a *bijou* which the whole county cannot

[391] Harrison's Description of England, prefixed to Holinshed, ed. 4to. page 233.

equal—opens toward the church by a lofty pointed archway with panelled soffits, in which were lately vestiges of the low screen of open stonework—since supplied—that formerly enclosed it from the aisle. This interesting enclosure, erected and endowed that mass might daily be performed therein for its founder's postmortuary repose—exhibits the richest, yet chastest, decorations of the Tudor style. Its form is square, lighted at the east and south by distended windows under low pointed architraves, characteristic of the era. From slender columns in the angles swell four beautifully formed and richly ornamented fans, which surrounding an exquisitely carved pendant in the centre, complete a ceiling as luxuriant as that of any chantry in the land. The situation of its altar beneath the eastern window, is distinctly marked, and on either side there yet remains a richly carved recess, of beautiful design, retaining the slender pedestal that sustained the saintly effigy long since removed, and terminated by an elaborate spire-wrought canopy. These graceful but now mutilated relics have been minutely painted in distemper, together with the walls of the chantry and its vault; and then—the pavement also being covered with armorial tiles, and the light dispensed through windows glowing with the richest colours, the effect must have been almost more than we can at present realize. The southern wall is panelled, in unison with the spacious window it includes; but that on the west is wholly blank, nor are there at present any indications of a doorway having opened here toward the monastery, for the entrance of the officiating priest; though externally the masonry has evidently been interfered with at some later time, as if to close effectually any such an aperture. This we remark, because Abingdon in his notes relating to the abbey—at which we have already glanced[392]—perpetuates a tradition, current in his day, that the monastery once communicated with this church by "a very great and curious walk" to pass hither at certain times to mass. The ancient font—whose style of ornament appropriated its construction to the period when the columniation of the nave was first rebuilt—has been removed from this chantry, where it till lately stood; and an indifferent substitute purporting to be modelled from the former now supplies its place.

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[392] See page 60, *ante*.

CHANTRY IN THE CHURCH OF St LAURENCE, EVESHAM:

Prior to the Restoration of its Screen.

Mr. Abingdon—who was the first modern collector of topographical materials relating to this county—inspected this church about the year 1640. But before we cite his observations, it may be well to remark that he was a person of consequence in the reign of Elizabeth, and had been confined six years in the Tower as an abettor of the attempted escape of Mary queen of Scots; but upon his release was permitted to retire to Hinlip in this county, which estate he had acquired by marriage. In the following reign he was so far implicated in the powder-plot as to conceal two of the conspirators in his own house. They were hanged; and he was recommitted to the Tower, but by the intercession of his father-in-law was ultimately pardoned. After this he remained in Worcestershire, applying himself to the study of antiquities; and the result of his labours, which has much the appearance of mere local notes, is preserved in the library of the Antiquarian Society. Among the armorial bearings described by him as then occurring here among the painted glass—were those of England, Evesham Abbey, Beauchamp, Blount, Vampage, and Botelor. The two latter coats are stated as then appearing in the windows of the northern chantry. From these notices we perceive that in the reign of Charles the First and previous to the civil war that followed, our churches generally retained the inimitable stained glass with which their windows were furnished prior to the Dissolution. The cause of this is thus explained by a writer, whom we have already cited:—"All images, shrines, tabernacles, roodlofts, and monuments of idolatrie are remooved, taken downe, and defaced; onelie the stories in glasse windowes excepted, which for want of sufficient store of new stuffe, and by reason of extreame charge that should grow by the alteration of the same into white panes throughout the realme, are not altogither abolished in most places at once, but by little and little suffered to decaie, that white glasse may be provided and set up in their roomes."[393]

Dr. Nash, in copying from Mr. Abingdon's account, has very seriously confused the condition of the building at that time, with its already ruinous condition during his own;[394] and Mr. Ireland,

[393] Harrison's Description of England, A.D. 1586, edition 1807, p. 233.

[394] History of Worcestershire, vol. i. pages 417-18.

at a later period—rapt in poetical imaginings while contemplating the ruined fane—has, with extraordinary latitude, wreathed clustering ivy round its broken walls.[395] But these are instances, only, of the errors into which even careful topographers may, by casual forgetfulness, be innocently betrayed. The monumental inscriptions at present remaining within the building will be found in our Appendix, numbered X.

The chapelry of St. Lawrence, whilst a peculiar of the abbey, was visited by a dignitary of that establishment styled "dean of the Vale." After the Dissolution it was, with the other chapelries, visited by an official appointed by the dean and chapter of Christchurch Oxford, who claimed the right, by appointment from the crown. In 1587 the right of the crown was questioned, and apparently waived; for soon after, the ordinary commenced his visitation. It is at present included in the diocese of Worcester, but is exempted from visitation by the archdeacon. It stands as a curacy in the "Liber Regis;" is valued there at £9 16*s.* 8*d.* and is in the gift of the crown. The Terrier, or official return of the profits of this curacy in the year 1585, as extracted from the registry of the Consistorial Court at Worcester, is given in the margin beneath.[396] The original, however, does not contain the queries upon which the

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[395] "Its roofless walls, and broken windows, its mouldering arches, and beautiful appendage the clustering ivy, all leave a melancholy impression upon the mind."—*Ireland's Warwickshire Avon*, page 253.

[396] 1585. S^t^. Lawrence in Evesham upon the Curates othe.

1. To the first I answere that we have not the Bible of the like translacõn required.
2. To the Seconde I say that the Queenes M^tie^. is Patrone of o^r^. bn̄fice and that there is no gleabe Land thereunto belonginge. Myselfe ame M^r^. of Arts in Oxenford and sequester the Fruits for my wages wch. amounteth at the uttermost not above x^l^. yearly.

3. 4. 5. To the 3 4 and 5 I can say nothinge.

6. To the 6th I say that there is but only the Vicaridge house * and one Orchard on the backside thereunto adjoininge. Pryveledges I knowe none but that we are not subject to the Archdeacons Visitacõn and utterly exempte from payinge any Procto^ns^. of the Pliam^t^. ffees but only are subject to my L^d^. Bishopp's Visitacon.

GEORGE PREEDY } Churchwardens
RICHARD HARWARD }

Per me PHILLIP HADDOCK
Minister ibm̄

* The site of this house is not positively known: but seems to have adjoined the present Abbey-house, at the north; whence such a tenement was recently removed.

answers are returned; neither, as we have been informed by the registrar, are they at present to be found. The incumbents, from the visitation of the monastery in the reign of Henry VIII. until the junction of the chapelry with that of All-saints are—so far as we have been able to discover—the following :—

Edward Fyld—is returned in 1535 as chaplain and curate here for the term of life, by indenture from the abbot and convent.[397]

William Sweton.—His name appears on the pension roll, cited at the foot of page 142, as incumbent here in 1553.

Philip Haddock.—His signature is affixed to the terrier, lately noticed, in the year 1585.

John Wood.—His signature occurs in the parochial register, in June, 1599.

John Balam.—The date of his appointment, as intimated in the register, was in the month of December, 1610.

Thomas Twitty, B.D. Master of Evesham School, was appointed upon Mr. Balam's decease; having been instituted in November, 1639, as appears from the register in the Consistorial Court, at Worcester. He ultimately became minister of Kingston-upon-Thames, where also he was buried.

Thomas Matthew.—His signature first appears in the register, in 1647. The excellence of his christian character, and the sterling nature of his principles, are sufficiently indicated by his refusing to submit to articles of religious conformity, which he regarded as unscriptural. Preferring, therefore, the approval of his conscience, to the retention of preferment upon other terms, he was ejected for nonconformity, about the year 1655; as from an entry in the corporation books he appears to have retained his curacy until that period.[398]

It has usually been considered, that since Mr. Matthew's induction, presentation to this preferment has, on account of its trifling value, been uniformly appended to that of All-saints; and that while the church of St. Lawrence continued in repair, service was performed alternately in each edifice, by the incumbent of *both* parishes. But

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[397] Valor Ecclesiasticus, temp. Henry VIII. vol. iii. p. 255.

[398] A brief notice respecting him occurs in Palmer's Nonconformist's Memorial, vol. iii. p. 392, ed. 1803.

from the register in the Consistory Court, it is evident that the two were not then constantly united; though they were afterward thus conjoined. For on the 4th of July, 1735, as appears from the official copy made by the deputy registrar—

John Price, M.A. was instituted to the chapel and chapelry of St. Lawrence; and William Burkinshaw, M.A. to that of All-saints, upon the same day. No separate institution to St. Lawrence appears, however, after the above entry.

CHAPTER IX.

CHAPEL OF ALL-SAINTS, IN THE DEANERY AND WITHIN THE PRECINCTS OF THE MONASTERY.

THE parochial chapel of All-saints adjoins that of St. Lawrence; and stands but a few feet further northward from the site of the monastery. Though presenting little in point of architectural beauty to attract attention, yet the antiquity of the fabric may be regarded as nearly coeval with the oldest portions of the adjacent church. The building comprises a nave and aisles; two chapels, in the situation of a transept; a chancel eastward; and at the west a tower and spire, in front of which a porch has since been added; while a chantry of the same period forms a like addition to the southern aisle. Mr. Tindal in his conjecture as to the origin of this structure has, because of its proximity to the gateway of the abbey precincts, singularly confounded it with a distinct chapel erected by abbot De Bois, which we have already described as having been situated near the great gate of the monastery.[399]

We have no earlier intimation concerning this church than that already cited in the former chapter respecting the corredy furnished to its chaplain in the thirteenth century from the convent.[400] Its appearance presents an almost heterogeneous aggregation of aisles and angles of various dates and styles, massed together as it were by chance or just as temporary requirement called for. The space it occupies, is ample for parochial use; being about one hundred and thirty feet long, and averaging fifty feet wide. But to augment the early evil of its level being sunk below the soil, the earth,

[399] See Tindal's Evesham, page 221; also page 62 in the present volume.

[400] See page 168, *ante*.

now saturated by interments, is banked against the southern wall almost to the sills of its windows. The damp and dirt and mustiness thus caused within, are more befitting to a charnel-house than to a christian temple: and persistance on the part of the parishioners in crowding their dead into this limited portion of the ground, apparently only because it adjoins the church, is, to say the least, reprehensible. Formerly some cause might be supposed for this, when an *Ave* or a *Credo* was besought from every passenger toward the purgatorial liberation of the imprisoned soul,—but that graves of modern date which can merely

"Implore the passing tribute of a sigh,"

should be heaped up in such a situation, is without excuse. The general confusion is augmented by an unsightly zig-zag wall protruded across the burial-ground, from the chantry of abbot Lichfield to the base of the bell-tower. This, though an old encroachment, calls loudly for removal; and a proper representation to this effect would, we doubt not, be satisfactorily responded to by the incumbent: when a line of palisades from the bell-tower to the porch would effectually exclude loiterers from among the gravestones during the hours of service. Such a compliance might then be met, on the part of the parishioners, by a removal of the unsightly tenements thrust against the vicarage, near the ancient gateway that once admitted to the abbey precincts. At the same time we would suggest the propriety of trenching the soil, against the walls of the church, to a level of at least six inches below the pavement; thus providing a water-table into which the spouts might be discharged; instead of, as at present, saturating the walls through the sodden ground, and leaving the stagnant moisture to be imbibed by the wainscot and furniture of the pews. This method we have seen generally adopted within the diocese of Bath and Wells, attended with a satisfactory result.

The northern aisle and chancel are evidently the oldest portions of the building. This is sufficiently indicated by the formation of the windows, the rudeness of their tracery, and the extraordinary declension of the walls. From the style, there can be little hesitation in appropriating these divisions to an early period in the thirteenth century. In the pediment of the aisle just noticed a seated

figure in a small contemporary niche above the window, has escaped destruction. The southern aisle is lighted by more capacious windows, which are filled with more fluent tracery; and an embattled parapet here is added above. This aisle we may consider as erected in the fourteenth century by some pious benefactor—most probably an inmate of the monastery, or mayhap some wealthy burgher of the town. And at about the same time, the tower would seem to have been added; or at least its parapet and spire.

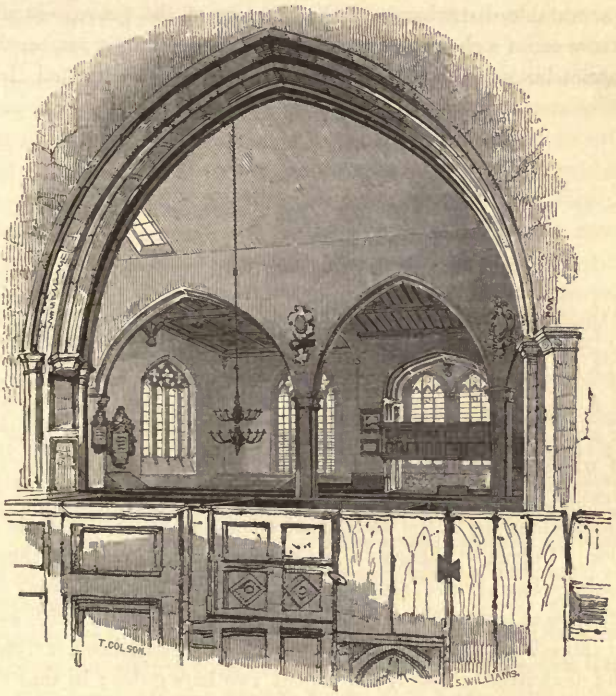
By a descent of steps we enter the western porch; a simple addition of the Tudor age. It is comparatively plain within. The horizontal ceiling presents at the intersection of its transoms the emblems of the Saviour's passion, in relief, grouped with the crown of thorns; and above the pointed arch that opens to the nave—there stands a niche, now vacant, surmounted with a mutilated canopy, beneath which the figure of some sacred personage was anciently enshrined. Behind this archway, on the northern side, is the mural recess that formerly contained the holy-water stoup from whence the worshippers affused themselves on entering and departing from the church. There are three spacious pointed arches at the north of the nave, and three of wholly different dimensions and appearance at the south. The arch communicating with the chancel is also pointed; but a rude and unstudied execution seems to characterize the work. The ceiling is in general coved and plaistered; but is in the southern aisle and transept horizontal and timber-groined. The floor throughout is *paved* with relics of humanity: as though a structure appropriated to the worship of the Most Holy required, as parcel of its consecration, to be gorged with corruption and decay. Upon such a subject—where not only decency, but health, and even life are staked,—we cannot but speak emphatically. For, in many of our churches, "earth and walls have at length become so saturated with putrefaction, that, turn where we may, the air we breathe is cadaverous; and a man often feels that sublimated particles, perhaps of his next door neighbour or nearest relative, enter his lungs at every respiration. Thus, in truth,—though in a different sense from that of the apostle—'in the midst of life we are in death.'"[401] Space, order, and convenience are

[401] Westminster Review, vol. xl. pp. 149-50.

at the same time sacrificed alike, in the immethodical and wasteful arrangement of the high, deep, and unsightly pews: for pewed appropriately,—examples for which are still discernable among the later panelling—the building would doubtless accommodate an addition of at least one half to the number it is now competent to receive.

There is one fair object amid the accompanying disproportion and confusion, upon which the admirer of ancient architecture will fix his gaze. This is a chantry, communicating with the southern aisle by a lofty archway with deep and panelled soffits; a beauteous fan-roofed construction of the time of Henry the Eighth. But what will be his amazement and regret to behold it, not merely filled below with modern sittings, but even faced and lined above with an added gallery of pews? And how will these emotions be augmented, when he is informed that within this sanctuary is laid the "mortal coil" of Clement Lichfield; the mitred architect who reared that far-famed tower which constitutes the proudest feature in the surrounding landscape—and who, with pious care, prepared this mortuary enclosure during life, as his last earthly resting-place! In the chantry before us, the designer has employed a style somewhat objectionable when compared with that of his other erections. He here apparently satisfied himself with adopting the current fashion of the period, at a time when the pointed style had far degenerated from what it long had been. His comparative inexperience,—he being at that time prior, as indicated by the monogram $_{C}{}^{P}{}_{L}$ in a shield upon the ceiling—may possibly account for this single error: since he afterward proved by his erection of the adjoining tower, that he well knew how to value and to employ the style of a much chaster period. The chapel is a parallelogram. It is lighted by elongated windows obtusely pointed, retaining vestiges of the solemn-colored glass with which they once were filled; it is ceiled with three pair of fans, locked together by catharine wheels between them, in lieu of pendants; and is paved with glazed armorial tiles —as far as the lowest floor of pews allows us to distinguish. Between two of these cumbrous intrusions there yet may be discerned a portion of the lowly stone that covers the body of the founder. It still presents indications of the sepulchral brasses with which it was inlaid; but these, the love of pelf and plunder has long ago

removed. Mr. Abingdon thus describes the inlaid effigy and inscriptions, as he found them in the reign of Charles the First.—



[Interior of All saints Church and its Chantry.]

"His resemblance is vested for the altar, in prayer. On his right hand is, *Deus in nomine tuo salvum me fac;* and on the left, *Et in virtute tua judica me;* and below on the one side, *Quia in inferna nulla est redemptio,* and on the other, *Miserere mei Deus et salva me;* and under his feet, *Orate pro anima Domini Clement Lichfield sacerdotis, in cujus tempore nova turris Eveshamiæ edificati est.*"— Ignorant as ruthless, must that violator have been, who could wrench from the grave of his fellow, these solemn, these searching petitions of trembling humanity.

Had this abbot inscribed above his grave, an anathema on him

who should disturb his bones—like Shakspere in after-times[402]—it would not perhaps now stand on record, that—"This tomb was carefully opened in the summer of 1817."[403] Respecting such unwarrantable disturbance of the sanctity of the grave,—in the instance too of a character so universally and deservedly respected—we cannot but exclaim with the high-spirited and intellectual Hamlet,

> ———"Say
> Why thy canoniz'd bones, hearsed in death,
> Have burst their cerements! why the sepulchre,
> Wherein we saw thee quietly inurn'd
> Hath op'd his ponderous and marble jaws
> To cast thee up again!———
> Say, why is this? Wherefore? What hast thou done?"

But, as has truly been observed, it seems to be the lot of greatness to be persecuted and poverty-stricken during life, and after death to be disentombed.

Abingdon, in his manuscript observations, describes several coats of arms at that time emblazoned in the windows of this church, all of which have at present disappeared. In the east window of the chancel there were, gules six martlets ermine; in the chapel at the north, standing in the position of a transept and called by him the Derby Chapel,[404] there were, in the north window, gules, three legs conjoined and armed, argent,—this coat was repeated thrice; in another pane, azure, three arms conjoined argent, armed with swords; in the middle pane, Mortimer, within an inescutcheon, argent; in the next pane on the right, argent two bars gules; in that on the left, or, two bends gules, Sudeley; in the last pane, gules a fess and

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[402] "Good frend for Jesvs sake forbeare
To digg ye dvst enclosed heare
Bleste be ye man yt spares thes stones
And cvrst be he yt moues my bones."
—*Gravestone in Stratford Chancel.*

[403] Short Account of the Antiquities of Evesham, by E. J. Rudge, esq.

[404] We are unable to find further notice of this transept as "the Derby Chapel:" but in the endowment of Stourbridge Grammar-school two chantries within this parish dedicated to the Virgin Mary and St. John are thus noticed:—"Ac omnia illa messuagia, terras, et tenementa in tenuris 3 tenentium existent. in Evesham prædict. ac nuper cantariæ B. M. et S'ti Georgii in parochia Omnium Sanctorum, in villa de Evesham."—*Nash's Worcestershire*, vol. ii. page 215.

two mullets of six points in chief, or, Poher. In the windows of the north aisle were the arms of the Abbey, and of Beauchamp quartering Warwick and including Despenser. In the windows of the south aisle those of the see of Exeter, and Gloucester Abbey; together with the white rose of York, often repeated. The church still presents vestiges of having once contained several monumental brasses; there being even at present—notwithstanding the universal wreck of ancient gravestones—six slabs in different situations within the pavement, retaining the indentions where brasses were originally inlaid; but, with the exception of one small inscribed plate, these have all been shamefully plundered; and the very stones, which surely ought to be exclusively appropriated to the original occupants of the grave beneath, have in more than one instance been used to record the death of some recent intruder. Thus, piece by piece and time after time, the churches here have been alike divested of ancient and interesting memorials. The devastators of "the great church," at its abandonment to ruin, overwhelmed the sculptured effigies abounding *there* in one vast and mingled ruin: and in a few years afterward the humbler portraits upon intagliated brasses here, placed by the townsmen—as also by the last of their abbots—upon their several graves, were basely pillaged by mercenary or malicious hands,—the hands of some, we fear, who once were even neighbours, or acquaintance.

Among the brasses that remained entire at Mr. Abingdon's visit, he notices in the north transept a tomb inlaid with brass, exhibiting the effigies of "Master John Sadeler," one of the latest catholic chaplains of this parish, who died in 1502:—in the central aisle, the effigies of Robert Wyllys and wife; near these, that of John Okley, merchant in Evesham, who died in 1586; a stone indented for a graduated cross, to the memory of John Feckenham, considered to be of the same family as Dr. Feckenham, dean of St. Paul's—of whom we have yet to write further: in the south aisle, the inlaid effigies of Elianor, and her two husbands; she, with the first of these, Thomas Jordan who died in 1526, "were special benefactors to this church."[405] There were also here two other

[405] "Orate pro animabus Thomæ Jordan et Elianoræ uxoris ejus, qui huic ecclesia præcipui erant benefactores: qui Thomas obiit A.D. 1526, die vero mensis Augusti

connubial effigies inlaid, but without date or inscription, then remaining. In our Appendix, numbered XI. will be found a list of all the gravestones and tablets at present within this church, compiled with some pains immediately from the originals. The only monument of particular interest—excepting abbot Lichfield's—now remaining, is that of Robert Wyllis, chaplain here about the time of the Dissolution. There are grooves upon the slab, which mark the outlines of his own effigy and that of his wife, which were inlaid as kneeling; and underneath them both is still preserved in its original situation the small brass plate which implores the passer-by in the latin language and church character, to "pray for the souls of Robert Wyllys and Agnes his wife: upon whose souls may God have mercy."

The font is at the west end of the north aisle, and the style of its sunken quatrefoils and floral ornaments appropriates it to the fourteenth century. In the same aisle, there are against the eastern pier some vestiges of the screenwork that formerly partitioned off the adjoining transept or Derby Chapel. Near the entrance to the nave may still be seen the oaken lectern on which a copy of Cranmer's bible was originally chained for the use of the parishioners: round which, upon its first introduction into our churches, groupes were wont continually to gather from morn till eve; reading or listening to the full-tide of holy doctrine, from whence bare portions only had hitherto been doled forth by their priests. A black-lettered copy of Fox's Martyrology is at present fettered to this stand, as well as another protesting volume, the date of which is 1563.

The chapelry of All-saints, like that of St. Lawrence, was formerly in the peculiar jurisdiction of the abbey of Evesham; though now in the archdeaconry and diocese of Worcester, but exempt from the archdeacon's visitation. It stands as a discharged vicarage in the king's books, valued at £10 16*s.* 0½*d*; and is in the gift of the crown. The Terrier of its rents and profits, as delivered in 1585, we have copied from the registry of the Consistorial Court at Worcester, and append beneath: the queries, however, do not appear, for the reason we have already given in connection with St. Law-

xvii: et pro anima Willielmi Yver, primi mariti Elianoræ, et pro animabus filiorum et filiarum eorundem. Quorum animabus propitietur Deus."

rence terrier.[406] Early in the eighteenth century Dr. Lloyd, then bishop of the diocese, actuated by conscientious scruples, augmented the curacy by a yearly payment of £5. This, with a like sum to the curacies of Bengeworth and Churchlench was payable from a lease of part of the tythe of Sheriffs-lench; which lease was forfeited to the bishop by the execution of John Palmer, gent. who with his wife's brother was found guilty of murdering his own mother and her maid-servant in the year 1707. Payment to these curacies appears to have been continued till the year 1770; when there being no fund for renewal, the lease was suffered to expire: and although bishop Madox had renewed it without allowing his secretary to receive a fee, the then bishop permitted the charity to be lost. Thus by the grant of a fresh lease, the tythe became private property.[407]

The present rents and profits of the two parishes, as augmented by purchases from Queen Anne's Bounty and the bequests of private individuals, appear as stated below.[408]

The incumbents of All-saints, since the visitation of the monas-

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[406] Eveshame / Omnum Sanctōy } Upon the Curates Othe

An Answere to the Articles given us in Charge in the Visitacon 1585.

1. To the ffyrst I answere that we have not the Byble of the like translacōn required
2. To the 2 I answere that the queens M^tie^. y^s^ Patrone of o^r^. benefice and y^t^. there y^s^ noe gleabe land thereunto belonginge: I ame neyther Double beneficed nor graduated but beinge Curate receip^t^. in wages—o xij^l^.
3. To the 3 I can say nothinge.
4. 5. To the 4 & 5 I can say nothinge
6. To the 6 I say that there y^s^ but onely ye Vicaridge Howse and one lyttle gardyne thereunto belonginge. Pryviledg's we have none that I remember but that we are not subject to the Archdeacons Visitacon but onely to my L Bishopps of the Diocesse.

Gyles Horwell / *Richard Fauthey* } Churchwardens. Per me ANTHONUM MARSHALL min^r^.

[407] Nash's Worcestershire, vol. ii. page 438 note.—The same author remarks that "About this time licentiousness was very prevalent in this county, especially in the Vale of Evesham, where persons of considerable property led very abandoned lives, and tyrannized over their inferior neighbours. The gentlemen I allude to were Sir John Dineley, Sir Robert Jason, Sir William Keyte, Mr. Hazlewood, and many others."—An authentic Account of the Robberies, Murders, and Burnings at Bretforton and Upton Snodsbury, has lately been re-published as a pamphlet, at Evesham.

[408] Land at Saintbury, purchased by Queen Anne's Bounty—All-saiuts . £54
Rent-charge on Doctor's Ground: bequeathed by Dr. Jephcott—All-saints £4

tery, in the reign of Henry the Eighth, are as far as can be at present ascertained, as follow.

John Pyrkes.—He is returned in 1535, by the commissioners who then visited the monastery, as chaplain and curate of All-saints for the term of life, under an indenture from the abbot and convent.[409]

Robert Wyllys.—He was appointed in March, 1545, as we are informed by a manuscript of Bp. Thomas, in the possession of the Antiquarian Society, and was also vicar of Cropthorne. This incumbent is buried in the church of All-saints; and from the Romish solicitation inscribed upon his tomb,[410] we may infer that his religious sentiments were moulded by the then vacillating religion of the state; which—affected one day by Henry's faith as a catholic, and influenced on the next by his hatred to the papal rule—must have left one certain class of its ministers in doubt as to the exact measure of protestantism which they were expected to assume.

Anthony Marshall.—He signs the terrier, in 1585; and died, as appears from the parochial register, in 1600.

Lewis Baylie—appointed on the death of the above, was a native of Wales, and fellow of Jesus College, Oxford. In the year 1611, we find him minister of Evesham, chaplain to prince Henry, —son of James the First—and minister of St. Matthew's, Friday-street, London.[411] On account of his fame as a preacher, he was soon after appointed chaplain to the king; and in 1616 was consecrated bishop of Bangor.

John Samon.—His signature first appears on the parish register in 1611, and continues till 1639.

Two-thirds of Land at Hampton, purchased with a bequest from Alderman Rudge, and other money—St. Lawrence £30

Tenement and Land at Birlingham; purchased by Queen Anne's Bounty for the minister of St. Lawrence £6

Payment out of the Furze Close, Hampton; bequeathed by Anne Roberts to the minister of St. Lawrence £3

Other purchases by Queen Anne's Bounty £28

Exchequer payment, in the proportion of £5 to each living . . . £10

Vicarage house, with two gardens communicating—one of them long enclosed from the church-yard, but still used as a place of sepulture—together with a stable-yard near St. Lawrence church. In addition to these, Easter offerings and voluntary payments from the parishioners, are made.

[409] Valor Ecclesiasticus temp. Henry VIII. tom. iii. p. 255.

George Hopkins, M. A. signs the register from April 1642, to September 1662. He was of New Inn, Oxford, where he took his first degree in 1641. After this he left the university, siding with the presbyterians, and took the covenant. When the garrison at Oxford had been surrendered to the parliament, he returned thither, submitted to the parliamentary visitors, and took his degree of Master. Soon after this he became minister of All-saints. In 1654 he was appointed by the parliament an assistant to the commissioners of Worcestershire, for the ejection of scandalous, ignorant, and inefficient ministers. Shortly after this he published "Salvation from Sin by Jesus Christ," a work dedicated to the borough of Evesham and levelled against the antinomian heresy. In 1662 he was ejected from his living, in common with many of the most conscientious and excellent characters of the age, for refusing to accede to the terms of conformity imposed under that most irreligious of princes, King Charles the Second. After his ejection, he retired to Dumbleton, near Evesham, where he died in 1666, and is interred in the chancel there. Wood says, that "besides his knowledge of divinity, he was a very good mathematician, and an example of great candour and moderation."[412]

The following were incumbents of All-saints with St. Lawrence annexed :—

John Jephcott, D. D.—was instituted in August, 1663. He was also prebendary of Worcester; but, on being presented to the living of Northfield he resigned his stall in that cathedral together with his preferment at Evesham, in 1706. He died 26th of March 1713, aged 77, and is buried near the south wall of the chancel in Northfield church.

John Mitchell, LL.B.—His signature first occurs in 1707, and continues till his death in 1724. In 1722 he was also minister of Bengeworth, as appears from the register there.

Nathaniel Nichols, B. D.—instituted in November, 1724, was also minister of Bengeworth, chaplain to Elizabeth countess

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[410] "Pray for the souls of Robert Wyllys and Agnes his wife: upon whose souls may God have mercy."—*Gravestone near the Chancel.*

[411] Wood's Athenæ Oxoniensis, vol. i. folio 567.

[412] Athenæ Oxoniensis, i. 370. Also Palmer's Nonconformist's Memorial, iii. 392.

dowager of Northampton, and perpetual curate of Offenham; as appears from the register of his burial, A.D. 1734, in the parish of All-saints. A sermon preached by this divine before the corporation, published in 1728, proves him to have been a man of enlarged and liberal views upon the question of civil government.[413]

William Burkinshaw, M.A.—was on the 4th July, 1735, instituted to the chapel and chapelry of All-saints in Evesham, void by the death of Nathaniel Nichols, clerk.

Edward Thornes, clerk—appears in the consistorial register as instituted to the chapel of All-saints aforesaid, on the 15th March, 1736, void by the death of William Burkinshaw, clerk.

Evan Jones, appointed 24th September, 1750, on the resignation of Mr. Thornes, was also vicar of Cleeve Prior and master of Evesham School. The remembrance of his ability in the latter capacity is still gratefully preserved by his very few surviving pupils.

Edward Cooper, B.A.—was instituted in April, 1769.

Henry Portmore Cooper, B.A.—instituted in February, 1808, was also perpetual curate of Hampton, and retained the mastership of Evesham School, which about this time had dwindled through neglect into a sinecure.

The Rev. John Marshall, M.A.—the present incumbent, "was instituted to the vicarage of All-saints in Evesham, with the united vicarage of St. Lawrence,"—as entered on the consistorial register—on the 18th of August, 1827.

In concluding our notice of this church, we with pleasure remark —that the chancel, which had long been in a dangerous state, has recently been secured and repaired, under the direction of Mr. William Smith, one of the parishioners: and that the cost, which amounted to £60 2*s.* 6*d.*, was defrayed by voluntary contributions among the townspeople. At the same time it is worthy of notice, that the organ which has long been used here, is an instrument of considerable power, it having been built for the Rotunda in Ranelagh Gardens; whence it was purchased for the parishioners, upon the breaking up of that famed place of public amusement, in the year 1796.

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[413] "Civil Government, how far of Divine and how far of Human Institution:" preached at the Parish Church of All-saints, in Evesham. 8vo. *Cambridge*, 1728.

CHAPTER X.

GRAMMAR-SCHOOL—HALLS—AND MEETING-HOUSES.

DURING the middle ages education in this country was only to be found associated with the church, and in immediate connection with our monasteries. Then, indeed, the latter may be said to have been our only schools, and their inmates our only students. It was natural, and to be anticipated, that the members of these institutions would select from their locality such youths as evinced indications of peculiar talent; and in placing them under a course of training for the cloister, would indulge the hope that in after times their fame would shed a lustre upon the foundation with which they were thus associated. The abbey of Evesham, among others, seems to have been early distinguished by its mode of educational initiation. Shortly after the Conquest we find Wulstan, afterward bishop of the diocese and ultimately canonized by the church, sent from Itchington in Warwickshire by his parents, that he might be taught reading in this monastery; they having destined him for the church.[414] At a later period an increased provision was made by the convent for educational uses; lands in the hamlet of Eyford, in the parish of Upper Slaughter, Gloucestershire, being in 1472 appropriated to the convent "for a stipend to teach youth."[415] From a memorandum, appended to Sir Philip Hoby's schedule of the abbey site and demesnes, given by Stevens in his Additions to the Monasticon—the yearly value of these lands appears to have been

[414] Life of S. Wulstan by William of Malmesbury, Wharton's Anglia Sacra, ii. 244.

[415] Atkyns's Gloucestershire, second edition, page 345.

£28 10*s.* 2*d.* at that time.[416] Were the estate still appropriated to scholastic purposes, it would doubtless now furnish a stipend equivalent to at least £400 a year.

In the reign of Henry the Eighth, it became requisite to provide a building expressly for scholastic use, with a distinct endowment for a master. This school-house was erected by abbot Lichfield, and the additional endowment was also made by him.[417] It stood near to the monastery, and was built upon the open Green belonging to the town: and though it shared the general wreck of other buildings connected with religious uses, in the same king's reign, some portions of the original fabric still remain. The advantages of this foundation appear to have extended into the Vale, as well as to the town; for provision was even made for boarding certain of the scholars within the abbey. This information we derive from one who had himself participated in these privileges,—a witness in an Exchequer case during the reign of Elizabeth, who had been a pupil in the school, and at the same time a boarder in the almonry.[418]

The endowment of this foundation may be regarded as absorbed in the appropriation of the abbey revenues by Henry VIII. So that not only was the hope destroyed, which—as previously noticed was once cherished by the inmates here—that their monastery might be one that should be preserved by the king "for the education and bringing up of youth,"[419]—but even the humble free-school attached to that establishment was at the same time swept away: so that Leland's melancholy observation, penned here soon after the Dissolution, once more falls dull upon the ear—"in the town is no hospital or other famous foundation but the late abbey." Deprived of its free-school—an advantage of peculiar import at a period when other schools in such a situation were of necessity unknown—the

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[416] "The ferme of certeine pastures called Eifoed, in the county of Glocester, parcell of the demeanes of the late monastery of Evesham, by the yeare cleare, xxviij^{li}. x^{s}. ij^{d}."—*Stevens*, vol. i. page 463.

[417] "He builded a free-school for education for children, assigning rents for maintenance of a schoolmaster."—*Abbey MS.* A.D. 1536, *copied by Abingdon.*

[418] "He was a scholar in the said town, and did board in the said amery of the said monastery, before the dissolution thereof; in the time of one Clement Lichfield, being then abbot."—*Deposition of John Wilkes, in Hoby* v. *Kighley.*

[419] Letter to Cromwell, printed in Appendix No. III. and cited upon page 140.

youth of the town must have been left in ignorance; unless we be permitted to conclude that here and there some deprived and needy member of the dissolved community, driven from his cloistered home, sought sustenance by imparting the principles of learning to the youthful burghers, from his own humble store. At length, in 1605, upon the grant of a new charter from James I. to the town, it was ordained that there should be here a grammar-school, to be styled "the Free Grammar-school of Prince Henry of Evesham," placed under the charge of a head-master, and also of an under-master or usher. The mayor and common council were appointed governors; and were empowered in that capacity to purchase, receive, and possess "manors, messuages, and lands" to the use of the foundation. Presuming that the king relied on some portion of concurrent zeal upon the part of the governors, toward the maintenance of this school, the royal grant of ten pounds yearly, still paid from the Exchequer, may be considered handsome; when we reflect that that sum was then equivalent to ten times that amount at the present day. We have only to regret that so much *land* as would have been then valued at £10 yearly, was not made the basis of the grant, in lieu of a fixed annual payment. The endowment would then, doubtless, by this time have exceeded the larger amount just mentioned.

The corporate body, as governors, seem early to have bestowed attention upon their charge. As early as 1653 they assessed the three parishes of the borough, to raise the sum of twenty pounds, then needed for repairing the house and school:[420] and in 1677 they appropriated the proceeds of a house near the shambles to the purchase of needful books.[421] At a later period they become remiss. Their accounts, in 1682, shew us that a sum had been left to them, as governors, by Mr. Jacob Jackson, the interest upon which, being thirty-six shillings, had in that year been paid; but afterward this entry disappears.[422] The only other individual recorded as having augmented the endowment, is a Mrs. Anne Roberts, who in 1663 granted to the corporation a messuage and garden in Ode-street, in

[420] Order of 25th March 1653, in Corporation Books.

[421] Accounts of 1677, in Corporation Books.

[422] Accounts of Martin Ballard and Nicholas Field, mayors.

trust for the schoolmaster; not, alas, in his capacity of tutor, but as an inducement to administer toward temporary prejudice, by "making a speech every 5th of November." This endowment still remains: but in unison with the spirit of the institution, an examination of the pupils, accompanied by a suitable oration, now takes place upon the above day.

Only a small portion of the lower walls of abbot Lichfield's School-house at present remains, if we except the porch. This was till recently entire, and presented the interesting appearance depicted beneath. It has since been unfortunately deprived of its

[Abbot Lichfield's Porch.]

gable; and the only striking feature it retains is the original entrance, which preserves above its low-browed arch the customary injunction—with which our grateful predecessors oft complied,—"Orate pro anima Clementis Abbas."[423] Above this, the arms of the abbey are carved in low relief, and in a small escutcheon under, are the initials C L. A label at the crown of the arch, bearing the date 1546, shews that the porch was added in that year; and thus affectingly proves that although the abbot was at this time deprived

[423] Pray ye for the soul of Abbot Clement.

of his preferment, yet he did not the less exert himself for the well-being of those in the midst of whom he had so long dwelt. In 1829 the porch was altered; the school-rooms being at that time nearly rebuilt, and the residence of the master improved also. This was effected during the mastership, and at the sole expense of Mr. Christopher Crofts; prior to whose appointment in that year the institution had been suffered to continue for some time in a state of dormancy.

The master, in addition to the endowment paid from the Exchequer, receives the rent of the premises in Ode-street, and occupies the residence connected with the school. He also instructs a certain number of private pupils. The Report from the Commissioners of Charities, relating to this school, states that in 1830 there were ten scholars upon the foundation; from whom there were received, on account of English instruction, 25*s.* per quarter from freemen's sons, and 30*s.* from the sons of others: but these payments have recently been equalized, and the terms are now 15*s.* per quarter. The present master is the Rev. Thomas Taylor, M. A. curate of St. Lawrence, Evesham.

The present Town Hall, or—as it strictly is, the New Guild Hall,—though superior in extent, must give precedence to the grammar-school in point of antiquity. This structure is most improperly seated within that space occurring at the junction of the principal streets, known as the Market Square,—which, if divested of such an incumbrance, would form a still more airy and agreeable interruption to the monotony of the street. The building before us has evidently been constructed at a period subsequent to the dissolution of the abbey; and is most probably indebted to the ruins of that magnificent foundation for the greater portion of the material which it includes. From depositions in the Exchequer case, already cited, we learn that in 1586 the building had then been recently erected, and that it was at that time known as the New Town Hall.[424] Fifty years afterward we find its erection attributed by Mr. Abingdon to "one of the Hobys." But as sir Philip Hoby died in 1558, and as at that period the present hall

[424] "He doth very well know the New Hall, lately builded within the said town." —*John Rapp, in Exchequer Case, Hoby* v. *Kighley.*

was not erected[425]—there can be little doubt but that sir Edward Hoby, nephew of Sir Philip, and heir, by the death of Sir Thomas his father, to the abbey site and demesne, as well as to almost the entire town at that period, was the individual who actually reared the present structure.

The building includes a basement and upper story. The former consists of plain semicircular arches of the Elizabethan age, resting upon piers, the floor being additionally sustained by a middle row of pillars. This space is at present occupied as the market for provisions. Formerly, we find, it was employed for pitching corn; when purchases were not made by sample: and from the corporation books it evidently was used, too, as a threshing-floor, upon those days when not required for the market. The remainder of the basement was, prior to the municipal corporation act, occupied as the borough gaol together with apartments for the gaoler; a more ancient building used as the gaol, standing north-east of the hall, having been taken down in 1789, and sold by the corporation for its materials: the above portion of the basement is now the municipal police-station. The upper floor, which is attained by a modern and commodious staircase of iron, comprises a spacious hall partly fitted up as a court, where the borough quarter-sessions were once held, and where the nomination of parliamentary representatives still takes place. According to Abingdon, this hall was, during the seventeenth century, "sometimes used for judges to hold the assizes for the shire." The circumstance is confirmed by the mayor's accounts in 1683; one item being a payment to "James Welsbourne for the charges of the judges' horses when here."[426] Another apartment opens from this room, more modern, loftier, but less extensive than the first. This room we find to have been erected for a council-chamber, at the joint expense of sir John Rushout, bart., and John Rudge, esq., members for the borough in 1728. The fact, though hitherto unnoticed by our local writers, appears in the dedication of a printed sermon preached in the above year, upon the mayor's inauguration.[427] During the years

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[425] R. Andrews, gent. deposes in 1586, that he had known the town thirty years; part of which time elapsed "before the New Hall was built."—*Exchequer Case.*

[426] Accounts of John Horne, mayor, in Corporation Book.

1833 and 34 the whole structure was repaired, and the wing enclosing the present staircase was added; the latter unfortunately infringing further on the market area. The cost of the alterations was met by subscription from the members of the corporation, among whom the late sir Charles Cockerell, M.P., is understood to have munificently contributed; and the work was completed during the mayoralty of that baronet.

The *original* Guild-hall of the town was probably that noticed in the present governing charter, as then standing next the south-west corner of the bridge, and called the Old Guild Hall. This name and application both originate in Anglo-saxon usage; when neighbours mutually bound themselves either to produce any criminal member of their fraternity, or to make pecuniary satisfaction to the law. Hence the derivation of the term: the word *gild* being Saxon, and signifying money. During the middle ages, gilds were formed for religious and charitable purposes, as well as for trade and merchandize. The members were in both instances bound by certain rules, and contributed to a general fund to bear the common charge. They had annual feasts, and neighbourlike meetings, and were usually licensed by the crown to maintain one or more priests, make chantries, bestow alms, do other works of piety, and frame ordinances.[428] Hence the origin of our later guilds or companies. Chaucer thus introduces us among members of the more ancient of these fraternities, in his Prologue to the Canterbury Tales:—

"An Haberdasher, and a Carpenter,
A Weaver, Dyer, and a Tapiser
Were all yclothed in one livery
Of a solemn and great fraternity.
Full fresh and new their gear ypiked was.
Their knives were ychafed not with brass,
But all with silver wrought full clean and well,
Their girdles and their pouches every deal.
Well seemed each of them a fair burgess
To sitten in a gild hall, on the deis."

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[427] "Civil Government, how far of Divine and how far of Human Institution: A sermon preached at the Parish Church of All-saints, in Evesham, on Tuesday the first day of October, 1728, being the day of the Mayor's Admission into his Office: by Nath. Nichols, B. D., Rector of the said church, and chaplain to the Right Honourable Eliz. Countess Dowager of Northampton." 8vo. *Cambridge.*

[428] Dugdale's Warwickshire, edition 1656, page 119, etc.

The ancient building to which we have just referred must have occupied the site of the present cooperage next the bridge. But even in the sixteenth century, either from its distant situation or from decay, it had become disused; and another building, near to where the present hall is built, had then for some years been occupied for courts and other public uses. This second hall was distinguished as the Booth Hall; and even after the completion of the new town-hall, the "three weeks court" then held before the bailiffs of the town was, by decree of the court of Exchequer in 1586, required to be thenceforth holden in the former. The term booth-hall was applied to such as stood above or near a place used for exposing wares during the time of fairs: and in the term itself we trace the association of the vendors' booths and the court of pie-powder, held at such periods by the local authorities. In 1664 our booth-hall had become disused, the magistrates having then removed their sittings to the later edifice: and the ground floor of the former was then consequently let as a shop, to one John Gay, a haberdasher, at a rent of £2 15*s.*, we presume, yearly.[429] From the situation of this building, described as near the New Town-hall, as well as from the peculiar characteristics of the oak-framed structure which yet stands, insulated at the top of Bridge-street, we are disposed to regard the latter as the original booth-hall. This curious wooden pile is at present partitioned into tenements, and the chimnies are of modern date.

The ancient Market Cross we find to have been standing in the market-place in 1650. In that year it is incidentally noticed, in a relation of the injurious treatment exercised toward some early members of the Society of Friends, whose books were burned by the magistrate at the market-cross, during a fair.[430] Crosses, surmounting columns or highly enriched pedestals, and elevated upon steps, were formerly usual in our market-squares; and they are presumed to have been so placed that they might be regarded as monitors to integrity. Very fine specimens of such erections remain at Salisbury and Chichester; but that at Evesham has been so long demolished, that it is not even mentioned in any previous

[429] Corporation Books, 16th Charles I., Accounts of Philip Ballard, mayor.

[430] Abstract of the Sufferings of Quakers, 8vo. vol. i. page 304, edition 1733.

history of the town. A few ancient and observant residents have remembered it standing near the centre of the area, from whence it was removed by order of the corporation some seventy years ago; and, as far as we can ascertain, it was till then seated on a square pedestal raised upon steps. If so, it would have presented a similar appearance to the remains of the burial or preaching cross yet standing near the yew-tree in Hampton church-yard. The basement of that from our market is, we believe, at present within the homestead of Knowle Hill Farm.

Leaving the scene of traffic, we now proceed to note the various buildings for religious worship which the dissenting community have erected here during later years. And though in these we recognize not the architectural display that often distinguishes the spacious edifices appropriated to the established church, yet it is to be remembered that—while the places for worship and education reared by dissenters generally, are numerous rather than imposing, —the whole expense of such erections, together with that for the support of ministers and teachers, is provided among themselves, by voluntary contribution only.

The Quakers' Meeting-House, in Cowl-street claims our first attention, as the eldest of the whole. This religious denomination arose at Evesham during the time of George Fox, its founder; and as early as the year 1655 his followers had become objects of rancorous persecution from those then constituted ministers of justice in the town. Indeed, so arbitrary was the conduct of these functionaries, that it formed the subject of a volume, entitled "The Cruelty of the Magistrates of Evesham in Worcestershire: printed for Giles Calvert in 1655." A formal representation upon the subject from certain of the inhabitants was also made to the Lord Protector during the same year.[431] Shortly after the publication of the latter, twelve of the persons whose names had been attached, were severally fined by the Evesham court—Sir Robert Atkins being then recorder—in sums varying from £2 to £20 each. The

[431] Entitled "A Representation of the Government of the Borough of Evesham in the County of Worcester, from many of the Inhabitants thereof, directed unto the Protector of England, Scotland, &c., Oliver Cromwell, 1655." See it inserted at length in a work entitled "Abstract of the Sufferings of the People called Quakers," 8vo. 1733, vol. i. p. 298.

sum last mentioned was levied on Mr. Edward Pitway, who in 1648 was mayor of the town. In the autumn of the same year fourteen quakers mentioned by name, beside others unnamed, were imprisoned by Edward Young, then mayor, for the mere act of peacefully assembling for purposes of worship; under covert of such being an unlawful meeting, because exceeding the number of eight. Three of these sufferers were incarcerated in a miserable dungeon, deprived of light and air, and treated with much cruelty. The cell is noticed as having been distinct from the town-gaol; and tradition still identifies it with a similar substructure remaining beneath a dwelling-house in the Market-place, that adjoins abbot Reginald's gate.[432]

But persecution, though it may make martyrs, cannot subdue the free opinion of the human mind. The injured and, with slight exceptions, unoffending party, began to be looked upon with sympathy by such as, but for the harsh treatment inflicted on the propagators, would wholly have disregarded their peculiar views. Their sentiments were thus now listened to; and the new auditors, with bosoms predisposed by kindliness, yielded in several instances to the bold arguments of the oppressed, and adopted their opinions as their own. Among these was Mr. Edward Pitway one of the corporate body, who had already served the office of mayor.[433] At his residence in Bengeworth—now the Northwick Arms Inn—the teachers and their converts met for worship; and in 1675 their repugnance to the prevailing formularies observed at the interment of the dead, resulted in their acquiring a burial-place for themselves, adjoining the residence of Mr. Pitway. This ground is still the property of the society, though at present employed only as garden-ground.[434] In 1676 the still increasing community, requir-

[432] See the account by Humphrey Smith, one of the sufferers, in page 306 of the octavo volume above cited.

[433] The following entry occurs in the first Corporation book.—"Friday the 5th day of October 1655. The same day and yeere Edward Pitway gent one of the capitall Burgesses of this Borrough was displased and removed from his place or office being indicted att the late Sessions upon twoo sevrall bills of indict^{t}. one of them beinge for publishinge a scandalous paper against the magistrates and governem^{t} of this Borrough and the other for ..... and abusinge Mr. Robert Martin and alsoe for his rude behavior in Court att the said Sessions and his evill behaviour towarde Mr. Recorder."

[434] This piece of ground, by feoffment dated 16th July 1675, was in consideration of £5 conveyed by Edward Pitway of Bengeworth—and again by feoffment of 19th

ing more ample space for purposes of worship than the residences of individuals would allow, purchased premises in Cowl-street, and constructed their present meeting-house and burial-ground there.[435]

The meeting-house is approached from the street by a paved court-yard, and exhibits those features of antiquity that pertain to the timber-framed erections of the Stuart age. Entering beneath its low-browed portal, a glance round the unadorned interior impels the imagination backward to the cradle of christianity itself: to that early period when the Galilean fishermen flocked round their divine Master in that "large upper room, furnished and prepared," where they hung upon his gracious words, till their minds participated in that sacred influence which imbued himself. But, to advance nearer toward the present time, the ancient character and almost rude simplicity of the apartment are in keeping with the era of George Fox himself: and as we stand silent and alone within its area, it requires no very fervid fancy to pourtray that primitive assembly, which during the infancy of the society here worshipped in unoffending silence, while exposed to the abrupt disturbance of the rude persecutors of that period. The burial-ground adjoins the meeting-house toward the south; and is an unadorned enclosure of uninterrupted greensward, where, unnoticed even by a single stone, the departed members of the community—as well as of others whose views respecting the simplicity of christian burial accord with theirs—"each in his narrow cell," await the final summons. The genius of the immortal Elegist seems prevalent within the

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March 1678, by Stephen Pitway—unto trustees their heirs and assigns; "for such purposes only as between the parties and other persons concerned were formerly agreed upon and no otherwise." The property is described as a small piece of garden-ground in Bengeworth, adjoining the Parsonage close, and behind the dwelling-house of the said Edward Pitway; with way or passage through the yard-gates on the south side of the said dwelling-house. In 1703 a fresh appointment, upon the same trust, was made; again in 1728, and again in 1774. The present is by lease and release, Jany. 26th and 27th, 1802.

[435] By indenture of lease, dated 1st January 1676, Elizabeth Young of Hampton, in consideration of £52, demised to James Wall of Evesham and his assigns, two messuages, with cherry-orchard and garden in Cowl-street Evesham, from December 21st, for 2000 years. Out of one of these messuages the present meeting-house was formed; the orchard being converted into a burial ground and the other messuage divided into two.

enclosure, while his own exquisitely expressed sentiment echoes from its walls—

"Nor you, ye proud, impute to these the fault,
If memory o'er their tomb no trophies raise
Where through the long-drawn aisle and fretted vault
The pealing anthem swells the notes of praise.

"Can storied urn or animated bust
Back to its mansion call the fleeting breath?
Can Honor's voice provoke the silent dust,
Or Flattery soothe the dull cold ear of Death?"

These premises were in 1723 assigned to John Beaufoy and others; to the intent that one messuage should be used for a public meeting-house for the people called quakers, and that the other, with the orchard and garden, should be applied only to such purposes, as were agreed between the parties and others. This trust was renewed in 1746, and again in 1784; and lastly by assignment of 14th March, 1821. The local endowments pertaining to this society, in addition to their late grave-yard in Bengeworth, are noticed below.[436]

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[436] I.—Funded proceeds of a messuage, garden and close, conveyed in 1722 by the legatees of Richard Russell of Broadway, for the remainder of a term of 900 years; upon trust for certain charitable uses, with power to appoint fresh trustees. In 1809 the surviving trustees, by direction of the Evesham monthly-meeting, sold the above property, under certain conditions: and by indenture of August 11th 1810, the united proceeds, being £485 nett, were invested in government funds, in the names of trustees, who have settled the same upon trust, to distribute the dividends among "poor protestants commonly called quakers, dwelling in the county of Worcester." II.—Six acres of land at Little Hampton, purchased with gifts and bequests to the society, conveyed in 1798 to trustees, upon trust to let or demise the same, not longer than 21 years, and to pay the nett rents to the clerk of Evesham meeting, to be applied by him as the monthly meeting shall determine. III.—Funded proceeds of a messuage in High-street, together with four acres of land in the then open fields of Little Hampton, since exchanged by allotment under the Enclosure Act for 1A. 1R. in the same parish, conveyed to trustees in 1716 by the devisees of Benjamin Pierce, of Bengeworth, paper-maker, upon trust to charitable uses, with power to appoint new trustees. In 1732 a new appointment was made, and again in 1756; and in 1794 the trusts of the messuage in High-street, as also the allotment at Hampton, were renewed. In 1822 the survivors of that trust, by direction of the monthly-meeting, sold the messuage for £400: and by indenture of 8th March 1825, this £400 and the securities thereof are vested in trustees, who are to distribute the nett proceeds to "such poor people inhabiting the county of Worcester," as they shall think fit. The same indenture also conveys the allotment at Little Hampton upon the like trust.—This £400 is now

Presbyterian Meeting-House.—The earliest notice of the present sect of "presbyterians" here, occurs about the year 1720; at which time they met for worship in a room in High-street. Their present meeting-house in Ode-street was erected in 1737, upon ground in that year conveyed by Mr. Thomas Bovey of Evesham, dyer, to the Rev. Paul Cardale and others therein mentioned; upon trust "that they should suffer the buildings so to be erected, so long as by law they lawfully might be used, to the use of, and to be enjoyed by, the protestant dissenters commonly called presbyterians.[437] Mr. Cardale was a native of Derbyshire, and was educated with a view to the ministry by the eminent Dr. Lathom. His character stands high for learning, devotion, zeal, and charity. He published in 1740 a series of discourses preached in this meeting-house, entitled "The Gospel Sanctuary;" and was author of other works, among which are "The true New Testament doctrine of Jesus Christ considered," and "An Enquiry whether we have any Scriptural warrant for a direct Address of supplication, praise, or thanksgiving, either to the Son or to the Holy Ghost." He died in 1775, and is buried in the north aisle of All-saints' church, where is a marble tablet to his memory.

On part of the above premises a school-house has since been erected, in addition to the chapel; the trust as to the whole having been renewed in 1759, and again in 1811.[438] This place of worship is very properly placed back from the public street; from whence

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placed out on mortgage, the interest being applied according to the trusts; and the allotment, now forms one close with the six acres purchased in 1798. IV.—A messuage, yard, garden, and appurtenances, in Cowl-street, Evesham, purchased in 1823 with funds of the society, and conveyed upon trust, 'that the same and the rents thereof should for ever after be disposed of as the bargainees, or the trustees for the time being, or the major part, with other recognized inhabitant members, should in writing direct.'

[437] It is at present a popular supposition, that the title of "presbyterian" is unwarrantably assumed by any body not adhering to that peculiar form of church government practised in the north. It will, however, be seen, by reference to our history during the Long Parliament, that even while this religion was established as the religion of the state, presbyterian discipline and synodical government were very partially introduced. So much so, that, according to Mr. Hallam, the presbyterian church of England "was rather an assemblage of congregations, than a compact body; having little more unity than resulted from their common dependancy on the temporal magistrate."—*Constitutional History*, ii. 427-8.

we pass to it through a garden-like enclosure, spread with turf that here and there swells gently over the remains of those who sleep beneath; while flowering shrubs, shaded by the drooping branches of the mournful willow, that waves above the lettered stones, stamp order, quietude, and seriousness, upon this avenue to the house of prayer. There is something, too, appropriate and time-honored in the aspect of the building. It lacks that prim and staring frontage

[Presbyterian Meeting-house.]

which modern meeting-houses usually present. There is repose and mellowness in the tincture of its walls, and sedateness even in the leaded lights that occupy its window-frames. We enter: and the character of the interior harmoniously corresponds; it tells us that the *fathers* of the living generation worshipped here. The place is well-proportioned, airy; not smothered in with galleries,

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438 The last conveyance is to trustees, that they "permit and suffer the premises to be at all times used by the protestant dissenters commonly called Presbyterians, as a meeting-house or place for the exercise of religious worship: the minister or person officiating being from time to time appointed by the said trustees or by a majority of them, to be testified in writing under their hands and seals."

but roomily pewed with oak. The organ-loft, the pulpit with its characteristic sounding-board, and even the dial with its ancient face, are all in unison: they speak to us of bygone years.

The gallery was added in 1820; at which time other additions were made, at a cost exceeding £200; the whole of which was defrayed by the late Mr. Anthony New, woolstapler: and in 1829 a well-built organ was liberally presented by the same individual. The present minister is the Rev. Timothy Davis, who was appointed in the year 1819. No interments take place within this meeting-house; but there is a marble tablet against the eastern wall, to the memory of the late Mrs. Richard Ashwin and her infant son, which we copy below.[439] In the burial-ground there are inscriptions commemorating members of Mr. John New's family, and of Mr. Timothy Davis's; with other stones severally inscribed with the names of John and Sarah Timbrell, John New, currier, Elizabeth Taylor, and Elizabeth Payne. There is a Sunday and day-school connected with this meeting, in which about sixty children are instructed and partially clothed. The present endowments of the foundation are stated beneath.[440]

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[439] "In memory of Ann the wife of Richard Ashwin of Aldington, and daughter of Anthony and Ann New of Evesham, who died February 16th 1842, aged 21 years, and was buried near this spot.

"A happy childhood innocent and gay,
Youth bright and stainless as a summer's day,
And life unshadowed by one cloud of gloom,
Prepared her spirit for an early tomb:
Loving and loved, in peacefulness she trod
The christian's blessed path—the way to God;
Let faith and hope our sorrowings reprove,
Heaven claimed its own, and called her soul above.

"Also of Richard New Ashwin, her infant son, born Jan. 19th, died March 16th, 1842."

[440] The Rev. Paul Cardale bequeathed by will the sum of £200, which he directed to be placed out by trustees with other money at that time belonging to the protestant dissenters of the borough of Evesham, going under the name of "Presbyterians;" to be applied for the same purposes as the said money. With the above sums the trustees, in 1776, purchased freehold lands at Woodmancote, in the parish of Bishop's Cleeve, for the endowment of this meeting. In 1811, the endowment was increased by a leasehold messuage in Ode-street, given by Mr. John New, sen^r. woolstapler, since converted into two cottages; together with a freehold messuage in High-street, given by Mr. Anthony New, sen^r. since converted into two cottages. These endowments now stand, by the conveyance of 1811, in the names of the trustees then appointed.

Baptist Meeting-House, Cowl-street.—The earliest notice of a baptist congregation at Evesham occurs in 1704. At that period their number had so far increased, as to require larger space than could be found in private dwelling-houses; and on this account they for some time met for worship and instruction in a barn at the north-east extremity of Port-street. Upon that site a small meeting-house was built in 1722; and in 1731 the Rev. Jacob More, or Mower, their first stated minister, was appointed.[441] In 1753 that meeting-house was destroyed by a calamitous fire, which burst forth in open day and consumed great portion of the street: but in the following year the place of worship was rebuilt. Since that period the premises have been sold and taken down; the community having agreed to remove to their present premises in Cowl-street. The very circumscribed burial-ground formerly connected with the building still remains in Bengeworth, and is employed by the congregation connected with the Baptist meeting in Mill-street.[442] We cannot but add that its present appearance by no means comports with the order that should invariably distinguish a place for christian burial. We would, at least, direct the attention of those who have relatives buried there to the propriety of draining the ground without the walls, and removing some of its surrounding incumbrances.

In 1787 the present meeting-house in Cowl-street was built. The structure is, however, more ancient in its appearance, although erected at the above time,—as no other meeting-house had pre-occupied the spot. The fabric is included within a burial-ground which has recently been enlarged, the commodiousness of the chapel having at the same time been increased by the erection of lateral

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[441] In 1733 the building was conveyed by Joshua Harris, by feoffment dated 14th January, to the Rev. Jacob More and others, and their heirs; upon trust that they should convey as the feoffees or the survivors, their heirs and assigns should direct; and that the issues and profits should be disposed of in like manner.

[442] By agreement dated 3rd January 1798, the trustees covenanted with Thomas Pearce and two others and their heirs, and with "the families usually using the said burial-ground, that they and their succeeding families should at all times use the said burial-ground with the way thereto." And at the same time the major part of the baptized members notified their consent in writing to change their place of worship to the meeting-house recently erected in Cowl-street: authorizing the trustees to sell the place of worship in Bengeworth, excepting its burial-ground and way thereto.

galleries, as well as by an additional vestry on the north.[443] An organ, purchased by subscription, has also been lately introduced. Upon the west wall is a tablet to the memory of the Rev. Lawrence Butterworth, M.A., who after being minister of this community upwards of sixty years, died in 1828, aged eighty-seven. There is a Sunday-school connected with the meeting, wherein about seventy children are instructed, who are also partially clothed. The present minister is the Rev. John Hockin, who was appointed in 1837. The endowment seems to have been chiefly furnished by bequests from Mrs. Ann Seward of Bengeworth, who survived her husband, a gentleman of fortune, who had early attached himself to the Rev. George Whitfield. These bequests, in addition to the tenements already noticed in the trust-deed, are given below.[444]

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[443] In 1786 the site with sundry tenements adjoining were, in consideration of £410, conveyed by Mr. Joseph Whitford to and to the use of the Rev. Lawrence Butterworth and Mr. James Pearce, their heirs and assigns. Toward payment of this sum various gifts and bequests to the society, amounting to £350, were employed; as appears by an "order" from the members, dated 14th January, 1755. In 1789 Mr. Butterworth and Mr. Pearce, by indenture of 30th October, conveyed this entire property, meeting-house included, to trustees; who were to pay the rents, &c. to the said Mr. Butterworth and his assigns, while he continued minister, and to succeeding ministers, for their support: holding the meeting-house and burial-ground for the sole benefit of the congregation therein described. Power is also given to charge the premises to the extent of £150 and interest, being the amount of debt incurred; with a proviso in case the community should dissolve, or cease to have a minister for one whole year. In 1802 the trust was renewed, but limiting any charge upon the premises to £31 13*s.* 11½*d.* And in 1827 the trust was renewed for the last time. The premises being then conveyed upon trust that the trustees should, after repairs, pay the rents and profits to the minister for the time: holding the meeting-house and burial-ground "for the benefit of the congregation of protestant dissenters called Particular Baptists." Provision is also made for the continuation of the trust, and for the annual audit of the trust accounts at a public meeting of the subscribers. The whole concludes with the proviso in the former deed, in case of lapse or dissolution.

[444] In 1753, Mrs. Seward of Bengeworth bequeathed to trustees £4450, to various religious uses among "Particular Baptists." Of this, the interest of £400 South Sea Annuities, was, after the death of the Rev. Mr. Mower, to be paid to the minister for the time being of that congregation, to be applied in support of monthly Lectures in Divinity, to be preached in Bengeworth. The interest of another sum of £400 South Sea Annuities, was also, after the death of Mr. Mower, to be appropriated to each succeeding minister of his congregation at Bengeworth, for the purpose of teaching poor children to read at Badsey, at two schools in Evesham, and at one in Bengeworth, in the proportions named. Respecting these bequests the Commissioners upon the Charity Inquiry reported in 1830—That the interest of £400 for teaching

Mill-Street Meeting-House.—This place of worship originated in a secession occasioned by the removal of the old Baptist congregation from Bengeworth; of which congregation Mr. Butterworth was then minister. In 1789 the site of the present structure was purchased from the late Mr. John Roper of Bengeworth, who liberally gave one hundred guineas, the amount of the purchase-money, toward the erection of the building.[445] This was soon after completed: and is a neat and commodious structure; the interior having recently been refitted and otherwise improved. This meeting-house is occupied by the baptist denomination; and their present minister, the Rev. J. D. Casewell, was appointed in 1842. Interments do not take place in the chapel; but there is a tablet against the western wall to the memory of the Rev. William Downs, who died in 1840, and another on the opposite side to the memory of Mrs. May. In the Sunday-school connected with the meeting about eighty-five children are instructed.

Methodist Meeting-House.—The Wesleyan Methodists during the earlier period of their existence in this town possessed no stated place of public worship. When first Mr. Wesley and his colleagues included Evesham in their progresses, they used a room in Deacle's school at Bengeworth. But a legacy of £400 having subsequently been bequeathed by Mrs. Guy of Great Hampton, toward the erection of a chapel at Evesham, that legacy, together with subscriptions, was employed in 1808, in building the present chapel, with a residence for the minister, which adjoins it.[446] These are situated

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children, is appropriated by payments of £2 12*s.* to a schoolmistress in Bengeworth, appointed by the Cole-street minister; and of £5 8*s.* to the two schools—now consolidated—at Evesham. And that the further interest of £400 is appropriated to the preaching of a lecture every two months in Cole-street chapel; for which £9 per annum is paid, beside £3 for incidental expenses.—*Commissioners' 24th Report*, p. 515.

[445] Conveyed by indenture of 6th October 1789, to trustees, upon trust to erect a meeting-house "which was at all times to be used for the worship of God by the parties thereto, their families, and the church, society, or congregation of protestant dissenters, residing within the borough," holding the very debateable but stringent Calvinian sentiments set forth at large in the deed: concluding with a proviso for appointment of new trustees, when by death reduced to five. This trust was renewed by indenture of 9th and 10th January, 1824.

[446] By indenture of 25th March, 1808, enrolled in chancery 5th September same year, William Rose conveyed the site to trustees, that they should permit such

in Chapel-street, the ancient Caponpot Lane, leading to the Conduit Hill,—another ancient designation which we wish to keep in view, although the conduit itself has long been overthrown. There is a small burial-ground next the street, in which are stones commemorating Mr. Richard Maile, Mrs. Robert Huxley, and children of other families. The present ministers are the Rev. John Stevens and the Rev. Edwin Thorley, appointed by the conference of 1844. In 1841 a separate building was erected adjoining the chapel, for the use of the Sunday-school, which had previously been established; and in the school about 112 children are at present instructed and partially clothed.

Congregational Chapel.—A small but neat structure, called Ebenezer Chapel, situated near the Market-place, was erected during the spring of 1844, and opened on the 28th of August following. It was built chiefly by individuals who had been connected with the Wesleyan Society; and the Rev. James Smith, recently a preacher in that community, is minister. There is a Sunday-school conducted in a room detached from the chapel, where about forty children are taught. The trust-deed of this property is not—while we print the present sheet—as yet completed.

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minister as should be appointed by the yearly Conference of Wesleyan Methodists, to preach in the chapel then erecting, and to occupy the premises during his ministry. Provided that such minister should not be so appointed for more than two successive years without the written consent of the trustees; with a proviso for the renewal of trustees when reduced to two, together with power to mortgage the premises, until any debt contracted should be discharged.

CHAPTER XI.

BENGEWORTH DIVISION OF THE TOWN—FREE-SCHOOL—
CHAPEL OF ST. PETER, WITHIN THE DEANERY OF THE MONASTERY—
TRANSFER OF THE ENTIRE PARISH
FROM THE POSSESSION OF EVESHAM ABBEY.

BENGEWORTH was at the time of Domesday Survey a mere hamlet in the then wide-spread parish of Cropthorne, and consisted but of a few detached farm-buildings, near the high-road then conducting to the abbey of Evesham in its vicinity. By its proximity to that foundation it, at a later period, gradually increased; and when Evesham became deprived of the distinction of its monastery, the inhabitants here seem to have urged their claims to equality with the inmates of the older town, by arguments of no gentle character. For in the reign of James the First, that pacific ruler intimates, in the preamble of his second charter to the borough, that "controversies, dissensions" and other irregularities occurring here, had occasioned "damage, grief, and molestation" to the more sedate indwellers of Evesham: and therefore, for the better rule, government, and improvement of the entire town, he incorporates Bengeworth within the borough of Evesham. This municipal junction has thenceforward continued; and Bengeworth thus participates in the improvements and advantages of its elder neighbour.

Æyelwey, abbot of Evesham in the reign of William I. is stated to have unjustly acquired a portion of the present parish, by defrauding the church of Worcester of four hides here—equivalent to about four hundred acres; these having at that time formed part of the manor of Cropthorne, which belonged to Worcester Church. In the

registry of Domesday these hides were consequently entered as belonging to Evesham abbey; and at a later period, abbot Whitchurch purchased the remainder of the parish from William de Beauchamp, and the whole became thus included in the demesne of the abbey. In the middle of the twelfth century, the four hides then held here were, by abbot Randulph's Institutes, appropriated to the office of prior of the monastery; as also the hall or grange, with its garden, vineyard, and meadow, and several tenements adjoining.[447] This grange—by reason of the continuity of the houses that adjoined it, as intimated in the extract cited—must have stood southward of the street; and from the accompaniments recorded in connection, was doubtless an important mansion,—one of the moated manor-houses of the olden time. The names still borne by grounds in this particular quarter, confirm our supposition as to its site. One is "the parson's close," the croft of the priorial mansion; another "the moat orchard," as having immediately adjoined the moat. In the last meadow—adjacent to the residence of Dr. Beale Cooper—some extensive foundations were discovered, in levelling a bank about twenty years ago; and, as we understand, an ancient signet ring of metal, inscribed ODO, was also found. There is little doubt but that these foundations were connected with the Grange, belonging to the Evesham priors: another portion of which, or of a gate-house attached to it, presents itself in part of a tenement near the north-west corner of the church. The arched doorway is here of ancient character, and in the wall of a chamber above there is a stone cupboard or ambry.

The only public buildings at present standing in this division of the town that will require particular attention, are the Free School and Parish Church. The former is a substantial building of brick, standing a little way back from the street; and includes a dwelling house for the master, with a school-room for the boys. It is situate in the middle of Port-street; and was erected in 1738, pursuant to the will of John Deacle, esq. This gentleman was a native of the

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447 "Pertinet etiam ad priorem, curia de Benigwithe cum croftis ad eandem curiam pertinentibus, et cum gardino, vinario, et prato, quæ sunt infra ipsam curiam, et cum omnibus mesuagijs de croftis quæ sunt circa ipsam curiam, videlicet, a domo Thomæ Algar usque ad domum Walteri Bellard."—*Cotton. MS.* Augustus II. num. 11.

parish, and by his own exertions and good fortune became a woollen-draper in St. Paul's Church-yard, acquired the possession of wealth, and ultimately attained the distinction of alderman of London. It is evident from his tombstone that his origin was humble, though Dr. Nash by a brief notice would fain connect him with a different class, by miscalling him D'Eagle.[448] But we regard him as one who having felt the deficiency of early education himself, in this manner sought to remove that evil from the lot of others who might struggle from obscurity in his native town as he himself had striven. By his will, dated 24th July 1706, proved 29th October 1729, £200 is bequeathed for the erection of a school for teaching, clothing, and apprenticing "thirty of the poorest boys born in this parish." But if the entire number of this description cannot be derived from hence, then such deficiency is to be supplied from "poor boys in Evesham, providing that these at any one time shall not exceed ten in number." To this foundation he further munificently bequeathed the sum of £2000, to be vested in lands and tenements of the yearly value of one hundred pounds. From that income twenty pounds were to be paid as salary to the master, thirty-four pounds were to be expended in clothing for the boys, twenty-five pounds to be employed in apprenticing four of them yearly, five pounds were to be expended in books, and fifty shillings were appropriated to repairs of the school: fifty shillings were further to be expended in bread for poor parishioners, as will be noticed in our twentieth chapter. The residuary receipts are reserved for taxes and other contingencies. No boy is to be admitted into the school under eight years old, nor after the age of ten. The choice and admission of boys are vested in "the churchwardens and overseers of the poor of the parish of Bengeworth aforesaid, and in the mayor and capital-burgesses of Evesham:" but "in case of the neglect of the said churchwardens and overseers, then in the mayor and capital-burgesses of Evesham aforesaid, or the major number of them." A further clause, somewhat unusual at the period, but exhibiting the heedfulness and forecast of the donor, provides "that the children may be carefully taught and that the schoolmaster may

[448] "Mr. D'Eagle left one thousand pounds for teaching and cloathing the poor children of the town."—*Nash's Worcestershire*, vol. i. page 411.

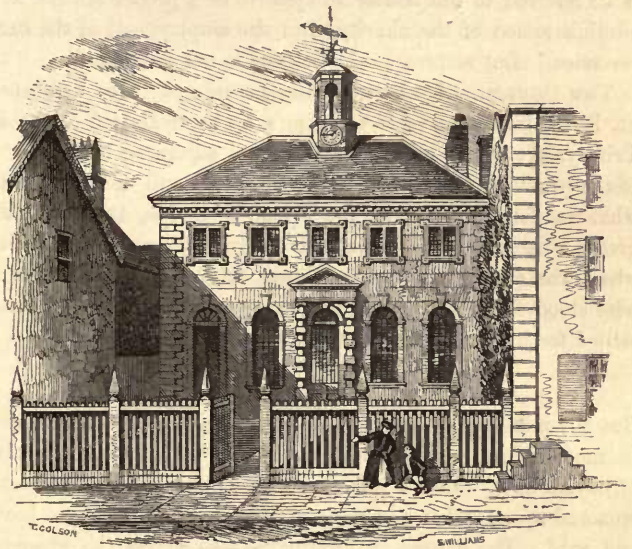
wholly apply himself to their instruction, that no person in any ecclesiastical orders whatever shall be admitted to fill that situation." In fact no means that forethought could devise effectively to carry out his purpose, seem to have been omitted by the testator. He appoints the Company of Drapers in London the trustees of his foundation, with a further bequest of £200 to defray the expense of periodical visitations of the establishment by the master and wardens of that body. He then generously bequeathes to the corporation of Evesham the sum of £50, to secure their watchfulness over the infant institution.

The testator died in 1709; and the Drapers' Company refusing to accept the trust, a bill was filed in chancery: the result of which was an appointment of new trustees, in lieu of the Drapers' Company. A piece of ground in Port-street was then purchased, as the site of the school, from sir John Rushout, bart. and this was conveyed to the new trustees by indenture of 23d May 1729. By an order of the court, dated 9th April 1736, the sum of £335 was directed to be applied to the building of a school; and the erection was during the same year completed. The original endowment had in 1743 become augmented by accumulation to £3341 15*s.* 1*d.* and this was ordered to be vested in South Sea Annuities, a receiver being at the same time appointed by the court. In 1749 part of the above stock was by a further order sold, and employed in the purchase of an estate at Ashton-under-Hill; and in 1773, by award under the Ashton Inclosure Act, an allotment was made to sir John Rushout and his heirs, in lieu of the charity property: thus making the entire estate upwards of 167 acres. This produced in 1830 a rental of £251.[449] Since the award, the estate does not appear to have been conveyed to trustees, but has remained legally vested in the Northwick family. There have, however, been successive appointments of trustees, without any transfer of the property.[450] The present trustees thus constituted are—lord Northwick; hon. and rev. George Rushout; rev. Wm. Digby; rev. John Shaw; T. B. Cooper, M. D.; sir Charles Cockerell, bart.; Wm. Manning, esq.;

[449] The previous rentals were from 1796 to 1799, £250; from 1800 to 1820, £230; and from 1821 to 1823, £255 18*s.*

[450] See 24th Report of Commissioners for Inquiry concerning Charities, page 518.

hon. H. B. Lygon; hon. Pyndar Lygon; Hanbury Beaufoy, esq.; and the rev. B. Preedy. The apprentice fees have lately been increased to £10 each, and a small addition has been made to the number of boys placed out. As regards the appointment of a master, the testator directs—that the mayor and burgesses of Evesham and their successors do present two persons to the trustees of the estate, who are to elect one of them. The salary of the master has latterly been augmented to £30. The present number of scholars is thirty; who are clothed and instructed, but not boarded. The



[Alderman Deacle's School.]

Commissioners for Inquiry concerning Charities report in 1830 that vacancies are filled up on recommendation, in the first instance from the churchwardens of Bengeworth with respect to the boys from thence; and in default of such recommendation, the other appointments, whether for Bengeworth or Evesham, are made at the discretion of the acting trustees. And as regarded the appointment of master, this had for some time been made solely by the same trustees. But in the year 1837 an Information was filed by the attorney-general, on the relation of John New, esq. and others,

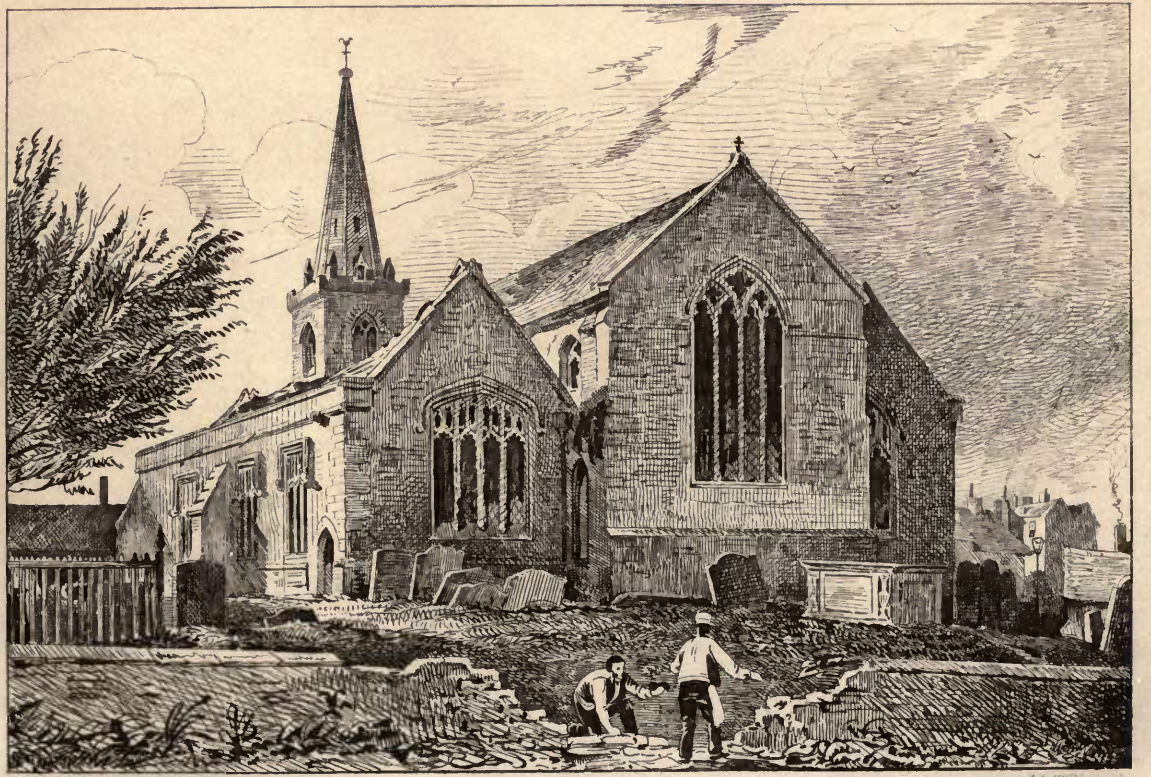
against the acting Trustees of the Estate : upon which the vice-chancellor, in March 1844, decreed among other things—that the appointment of master ought to be in accordance with the testator's will; and that the Trustees for Charities, chosen yearly from the corporation under the Municipal Act, sec. 73, are to exercise the trusts given under the will to the corporation of Evesham; while the Trustees of the Estate—appointed in lieu of the Drapers' Company—are also entitled to execute the trusts given under the will to that company. At the same time it was further ordered "that it be referred to the Master to approve of a proper scheme for the administration of the charity, and the employment of the surplus revenues." But at present this scheme is not completed.

The Church—though generally considered to be dedicated to St. Peter, is, according to the king's books, dedicated to the Holy Trinity. It stands on the high ground adjoining the upper part of the principal street; having between that and the burial-ground what was formerly an open space and, doubtless, then the village-green, where the ancient wake or festival in honor of the saint to whom the church was dedicated was originally held; where likewise stood the tapering maypole, to festoon which the inhabitants sallied forth at early May-morn, and here returned—

"Deckt all with dainties of her season's pryde."

But our public enjoyment of May-time and the approach of spring, in modern life forsakes us as we leave the unrestrained hilarity of boyish days,—and so this green, like many others, has been encroached upon, and is now most utilitarianly occupied by a hostelry and yard. The church, as originally seen across the greensward would form an interesting addition to the street view; at present we must be content with catching only glimpses of it from that situation. Some writers have concluded, that it was *here* that Leofric, earl of Mercia, and his Countess erected a church in the reign of Canute, which they caused to be dedicated to the Trinity.[451] But this supposition is opposed to the very document upon which it professedly rests, for that expressly declares the church so dedicated to have been built by them at Hampton.[452] These are the

[451] Tindal's Evesham, p. 239, also Nash's Worcestershire, art. Bengeworth.



T. Wilson del.ᵗ J.L. Williams.

Church of St. Peter, Bengeworth, Evesham.

same personages who figure so conspicuously in the early history of Coventry. Leofric was duke or governor of Mercia, being a fourth of the kingdom, in the reign of Canute II. His possessions in the midland counties were consequently vast; and in the down-hill of life himself and consort seem to have propitiated the church by large endowments and foundations.[453]

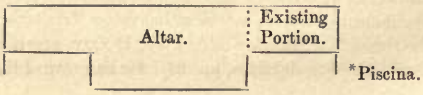
No part of the church at Bengeworth appears to be of earlier construction than the thirteenth century, unless we may except the font; during that period, then, we may consider it to have been erected by the abbots of Evesham, soon after their purchase of the manor in gross. And although its situation cannot be the site of *that* cemetery in Bengeworth which abbot D'Andeville is said to have constructed after his demolition of the castle here—yet there is little doubt but that the ruins of that demolished fortress furnished much of the material employed in the present church. The structure, which is of somewhat irregular form, includes a nave, a chancel with lateral aisles, and a transept-like chapel projecting from the north. At the west stand its tower and spire, both of the plainest form, but distinguished by the peculiar arrangement of four unadorned pinnacles at its base, as well as by the vestiges of four others which have in time past occupied the angles of the parapet. This approach toward a like peculiarity in St. Lawrence's church, as well as the string-course beneath the parapet, confirm our supposition that the same century beheld the completion of both these structures. The porch is included within the area of the tower, and finishes with a groined vault. Its inner arch deserves attention, as being at present the only specimen of the semi-circular or Norman style occurring in either of the churches in the town; though we are by no means disposed to refer this, perhaps accidental or convenient, form to the early period when that style was predominant. A small recess occurs here, near the inner door, originally a receptacle for the holy-water with which the ancient worshippers affused themselves upon entering the church. The nave is at pre-

[452] Ego Leofricus comes manifesto in brevi isto, quod terram quæ vocatur *Heamtune*, ad monasterium de Evesham dedi: et misi in illam ecclesiam quam ego et conjux mea Godgyve ibidem in honore sanctæ et individuæ Trinitatis pro animabus nostris devotè ædificavimus."—*Cottonian MS. Vesp.* B xxiv. previously cited on p. 34.

[453] See Dugdale's Warwickshire, pp. 86-7 for an array of these pious deeds.

sent destitute of aisles; but the chancel retains these accompaniments, at north and south. They are separated from the centre, on either side, by two obtusely pointed arches of the thirteenth century, resting on plain and slender columns of octagonal form. Small clere-story windows are inserted above; and open quatrefoils are wrought within the girders of the oak-framed roof.

Traces of four several altars are at present visible within this church. The first is in the chancel, where, in a spacious niche within the southern wall the piscina and credence-table employed in the ancient service, both remain. The former of these received the rinsings of the sacred vessels, and the latter sustained the *ampullæ* or cruets that severally contained the water and the wine, which the Romish church—commemorating "the water and the blood" that issued from the Redeemer's side—deems requisite to be mingled, prior to their consecration, in the eucharistic chalice. These appurtenances, together with the dais or elevated portion of the floor, were here appropriated to the high-altar of the church, at which the office of the greater mass was performed. A similar recess to that already noticed, points out the situation of a second altar, appropriated to private masses, in honor of particular saints, or for the repose of departed souls. This is near to the further window of the northern aisle; and there, upon a platform ascended by a step, a portion of this altar still remains. This vestige is the more remarkable, because when some years since search was made through the kingdom for an *original* altar, to serve as a model for erecting one in the chapel of the Tower, nothing earlier than the Reformation could be found. This relic is of stone, finished by a simple cornice, and stands within the angle formed by the east and southern walls. Its height is four feet, and its length three, by eighteen inches wide. Had this width continued throughout, it would not then have admitted the arrangements required in the service of the mass. But this we conclude was obviated by a projection in the centre; leaving the present, with a destroyed but corresponding section, as wings on either side: a form, we believe, not unusual in such erections. Thus:—



At the close of this chapter a more graphic representation is introduced. In the chapel on the north, and at the eastern end of the southern aisle, slight vestiges of the remaining altars may be discerned.

The font is at present stationed at the east of the northern aisle. To this spot it must have been removed since the Reformation: as baptism is, in the Romish communion, performed either within or near the porch; thus typifying the admission of the candidate, thereby, to the privileges of the christian church. This font is by far the oldest in the town; for its rude appearance and spacious cavity would almost suffice to connect it with the conversion of the Anglo-saxon pagans of the place. There is more of regularity in the construction of the southern aisle than in any other division of the church; and Mr. Abingdon, in his manuscript account, has preserved an inscription, at that time remaining in its eastern window, which leads us to regard this portion of the fabric as added during the abbacy of William de Chyryton, who presided in the monastery of Evesham from 1316 to 1344. His name, in the character of a benefactor, thus appeared among the painted windows of this aisle, which had at least been glazed at his expense —"Orate pro animabus Willielmi Chyryton * * * ." The remainder was even in Abingdon's time defaced. In the same aisle is placed the costly monument of Mr. Deacle, the founder of the free-school, adorned with his effigy recumbent in marble and enveloped in the aldermanic gown. We smile at the incongruity of a christian figure extended on the sarcophagus of heathenism; but we have positively nothing else to offer by way of statuary throughout the town! The gratitude of the inmates not having hitherto sufficed to raise—either in their market-place, cross-churchyard, or hall—a statue even to Bishop Ecgwin, the founder of their town; to say nothing of Eoves, his swineherd, to whom they owe the whole. Suffice it then to observe that this figure is respectable, as connected with the period of its execution, when our monumental effigies—having doffed the coat of mail and set aside the attitude of devotion—were content to lounge about our churches in court dress, using tombs in lieu of couches. The inscription is plain and suitable. We only quarrel with the heraldic insignia, which some ill-judging executor has perched upon the summit. Mr. Deacle

was self-distinguished; and could therefore spare these trappings, which are usually employed to reflect an adventitious lustre. But we cannot quit the monument, without picturing the emotion with which it must have been regarded by the first groupe of on-lookers that stood round. Some of these, doubtless, remembered the departure of the friendless lad—a second Whittington—from the place of his nativity, and now gazed with wonder on this tangible indication of the greatness to which he finally attained. In the same aisle, and within view of the monument of the self-elevated Deacle, 142 children are taught in the Sunday-school. This number, added to the Sunday-schools we have already noticed, together with fifty children similarly instructed in St. Lawrence church—omitted in our account of that foundation—complete, with 130 similarly taught in the National Sunday-school, a total of 690 children of both sexes instructed weekly within the town.

The east window was rebuilt in 1810 by the Rev. William Aldington, rector of Toddington; the stained glass being also inserted at that gentleman's expense. It is to be regretted that the tracery of the original window has not been copied, as even an unpractised eye cannot but contrast the bald appearance of this with the richer tracery of the eastern windows in the aisles. The present altar-screen was put up after the decease of the Rev. Thomas Beale, a former incumbent, who bequeathed a sum for that purpose. In 1832 an organ was erected by subscription at a total cost of £202. Surely the people here ought, at all events, to be musical; this being the fifth finger-organ we have met with, as used for public worship, in the town. In the above year the burial-ground was enclosed with, what we were about to call a well-built, wall of brick,—till we chanced to observe that it is already failing in the south-east quarter. Much coloring and painting have recently been spread within the church. Its walls are dazzling with whitelime; the arches and mouldings are striped with ochre; and the old oak rafters striding over-head, appal the antiquary by their sky-blue covering. In soberness, we are compelled to add, that this is by no means a singular instance of modern church-garniture.

The curacy of Bengeworth was formerly in the peculiar jurisdiction of the abbey of Evesham; and though now within the diocese of Worcester, is still exempt from the archdeacon's visitation.[454] It

stands as a discharged curacy in the king's books, valued at £7 10*s.* 10*d.*, and the advowson is at present vested in the Rev. Thomas Marsden of Childswickham. The entire parish, together with the advowson, having been formerly purchased by the abbey of Evesham, its mixed and prædial tythes were then impropriated by that institution. The privy tythe was, however, leased to a chaplain appointed by the monastery, as appears from a separate schedule of the commissioners under Henry VIII.[455] As only a small portion of this parish was held by the convent in demesne, its great tythes were, after the suppression, transferred with the soil to various individuals by the crown; the petty tythe being then appropriated to the incumbent, as will appear from the ensuing terrier. At a subsequent inclosure of the parish, certain lands were awarded by the act, in lieu of great tythe to the impropriator and of privy tythe to the incumbent.[456] Thus the parish now stands discharged of all tythe whatsoever. In the margin we append the terrier or official return of the profits of this curacy, in the year 1585; as extracted from the registry of the consistorial court at Worcester.[457] The

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[454] A bill to make certain towns at Evesham—being peculiars of the abbey, in this Vale—in the diocese of Worcester, was introduced to the House of Commons, December 18th, 1554.—*Journals*, vol. i. p. 39.

[455] See "Schedule of Spiritualities pertaining to the monastery of Evesham," in Valor Ecclesiasticus, Hen. VIII. tom. iii. p. 253; also Chapel of Bengeworth, under "Deanery of Evesham Vale" on page 255 of the same volume.

[456] By the Bengeworth Inclosure Act, passed in 1775, Thomas Wilson Cracroft, esq. is declared then "rector impropriate of this parish and owner of all the tythes belonging to such rectory," Charles Henry Talbot, esq. being patron of the curacy, and the Rev. Thomas Beale curate, the latter, as such, being "entitled to the tythes thereto belonging." Therefore the act enacts that the commissioners should allot to Mr. Cracroft and his heirs and to Mr. Beale and his successors severally, so much land as should be equivalent for the great, and impropriate, and small tythes. The commissioners in consequence, by their award [dated 11th November, 1775, enrolled with the Clerk of the Peace for the County of Worcester 17th July, 1776], allotted to the curate 15A. 3R. 13P. in lieu of all tythes and dues, excepting oblations, &c., as directed by the act: which allotment they declare to be of the annual value of £30. Three roods and thirty perches adjoining the above, were likewise allotted to the curate, in lieu of right of common; making together 16A. 3R. 3P.

[457] Upon the Vicars othe

Bengeworthe An annswere to the Articles geven us in charge in the Visitacōn 1585

1. To the Fyrst I answere that we have the Bible

2. To the Second I say that there is a Parsonage imppriate and one Mr. Thomas

original, however, does not contain the queries upon which the answers are returned; neither, as we have been informed by the registrar, are they at present to be found. A second terrier, returned by the parishioners in 1680, we also append beneath; having extracted it from the same registry as the former.[458] The present yearly rents and profits of the living, exclusive of Easter offerings and surplice fees, will likewise be found beneath.[459]

The incumbents since the visitation of the monastery by the commissioners under Henry VIII. so far as can be at present ascertained, have been the following:—

William Page—is in 1535 returned by the royal commissioners as

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Biggs hath y^{t}. in lease: Myselfe ame Vicar and had the Vicaridge by Psentacōn from the queene whoe is patrone thereof: Double benefice I have none neyther ame I graduated but only had my yeare to be hacheler granted in Oxfford

3. I can say nothinge

4. I can say nothinge

5. I can say nothinge

6. There is the Vicaridge and a lytle gardeyne ground thereunto belonginge onely: wthout gleabe or other Comoditie save the pryvy tythes: Pryveledg's we have none but that we are not subject to the Arch Deacon's visitacōn, but to my Lord Bishopps onely

Thomas Hay, John Cotten } Churchwardens

By me ANTHONY HURLIBUTT Vicar ibm̄.

[458] Bengworth, in Co. Wigorn, June 24th 1680 } We the Parishion^{rs}. of Bengworth in the Burrough of Evesham in the County and Diocesse of Worster whose names are underwrott do unanimously declare sett forth and assert the profitts belonging to the Vicarige of Bengeworth payable and according to o^{r}. knowledge accustomably due to the Vicar as they are distinctly exprest in the severall particulars following:

Imprimis Easter Offerings, that is, three pence a peice of each persou whom the Law looks upon as Comūnicauts and moreover from each House-holder the smoake penney, and garden penney.

For a Buriall six pence—For a Christning and Churching six pence, Bees every Tenthe Stocke—Piggs every Tenth or Sevēth—For every Cow and Calve six pence; and for each thoro' milch Cow 1^{d}.

The Vicarige House and Churchyard.

One Cows Comōn with the Herdlong on the Layes according to the Ancient Custome.

The Tythe of Upham and of all Enclosures, whether turn'd into Gardens—or whether bearing Hay or any sort of grain. And lastly the Tythe of Orchards, of Flax and Hempe.

We whose names are underwrott have heard that the above Particulars are the Vicars dues and have payd accordingly

Richard Tinker
Phillip Gardner
Tho: Watson
Richard Hide
John Wood Maul, Ch^{r} Warden
William Eadon † his marke
James Smith † his marke
Richard Barns

chaplain and curate here for the term of his life, by indenture from the abbot and convent of the monastery of Evesham:[460] and from an entry in the parish register it appears that he died in April, 1549.

Anthony Hurlybutt.—His name first occurs on the register in 1560; and in July 1588, as appears from the same document, he died.

William Busted.—From a memorandum upon the register, the date of his institution was April, 1589.

Henry Wilsons.—From an entry similar to the above, he was appointed in April, 1599.

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Thomas Willes—was minister from 1677 till 1688; and was also vicar of Bretforton in 1681.

* * * * *

Joseph Shelton.—His name appears on the register, from 1716 till 1721.

John Mitchell, LL.B.—He was minister of St. Lawrence and All-saints, Evesham; and first signs the register here in 1722.

Nathaniel Nicholls, B. D.—Upon the death of Mr. Mitchell, in 1724, he succeeded him as minister of Evesham as well as Bengeworth; and was, in addition, perpetual curate of Offenham, adjoining this parish. He died, according to the register of All-saints, in February, 1734.

George Clevely.—He was appointed in March, 1734, and signs the register till April, 1766.

Edward Davies.—His name first occurs in February, 1767.

Thomas Biddulph.—He first signs the register in 1769.

Thomas Beale, M. A.—From his mural tablet in the aisle, he was instituted in 1771, continued incumbent till 1793, and died in 1805.

Thomas Tregenna Biddulph, M. A.—then minister of Saint

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459 Close of Land on Bench-Hill, as awarded £78
Charge on late John Martin's Estate at Little Hampton . . . £10
Two-thirds rent of Cottage and six acres of Land at Ashton-under-Hill: purchased with £150 bequeathed by Mrs. Thomazine Watson . . £15 5*s*.
Six acres of Land at Church Lench; purchased by Queen Anne's Bounty . £7
Cottage and garden near the church; being the parsonage-house, but not occupied by the incumbent £10

460 Valor Ecclesiasticus, tom. iii. page 255.

James's, Bristol, succeeded the late Mr. Beale in 1793; but resided in the former place, and resigned this curacy in 1803. Mr. Biddulph continued incumbent of St. James's, at Bristol, till his death, which lately occurred at an advanced age. He was universally respected by the inhabitants of that city, and is author of several publications, which have met with an extensive sale.[461]

The Rev. JOHN SHAW, M.A.—the present incumbent, was instituted in 1803, on the presentation of the Rev. T. T. Biddulph.

The arms and mortuary inscriptions at present within the church, will be found noticed in our Appendix, numbered XII.

After the suppression of Evesham abbey, its lands in Bengeworth appear to have been granted to more than one individual, by Henry the Eighth. Among these were sir Philip Hoby,[462] Thomas Watson, esq.,[463] sir Richard Long, Christopher Edmondes, gent., Roger and Richard Taverner, esqrs.[464] In the following century an important portion was vested in the family of Hazlewood; under a conveyance from one of whom to his own family the present Lord Northwick is understood to claim the lordship of this manor: a right expressly recognized by the Inclosure Act and its consecutive award. But from an abstract of sir William Hazlewood's title, commencing in 1716, it appears that his devisees and their descendants exercised repeated acts of ownership over the manor and appurtenances, subsequent to the Inclosure Act, and down to the

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[461] Among these are "Inconsistency of Conformity to the World," 12mo. "Essays on the Liturgy of the Church of England," 3 vols. 8vo. "Lectures on the Holy Spirit," 8vo. "Theology of the Early Patriarchs," 2 vols. 8vo. and Lectures on Psalm 51, 8vo.

[462] Mention is made in a schedule of sir Philip's estate, given in Dugdale, of "a park called Thrawnehill park, with all lands meadows and pastures called Thrawnehill, in the hands of the late abbotte and convent of Evesham," described as being at that time "within the parish of Bengeworth."—*New Monasticon*, ii. 43.

[463] "All the premises in Bengeworth, parcel of the town and lordship of Bengeworth, of the value of £63 4*s*. 6*d*. have been sold heretofore to Thomas Watson."—*Note occurring in the Roll of sir R. Long, and Chr. Edmondes, in Augment. Office.*

[464] In a roll dated 10th February 36th Hen. VIII. Roger and Richard Taverner "request to purchase" several lands and tenements in the parish of Bengeworth, of which the [then] yearly value was £6. In another roll, dated 25th June, 37th Hen. VIII. Richard Long, kt. and Christopher Edmondes, gent. "request to purchase," in this parish, the rent of two tenements, a garden, close, and 1½ virgates of land; all copyhold.—*Originals in Augmentation Office.*

year 1789. For by indentures of lease and release, sir John Rushout, first Lord Northwick, being party thereto, dated 14th and 15th October in that year, John Cracroft of Hackthorne in the county of Lincoln, esq. and his trustees released certain messuages, demesne lands, and other hereditaments in this parish, "save and except the said manor or reputed manor of Bengeworth," unto sir John Rushout, his heirs and assigns: noticing at the same time, that sir John had been treated as lord of that manor in the Inclosure Act. At present there are no tenures in the parish by copy of court-roll; nor has a court-baron been held here for many years. The extent of the parish, the whole of which was formerly possessed entire by the abbey of Evesham, contains by admeasurement, 1281A. 1R. 20P.

[Font, Altar and Credence-table, in the Aisle.]

CHAPTER XII.

PAROCHIAL CHAPELRIES IN THE VALE, ORIGINALLY COMPRISED WITHIN THE DEANERY OF THE MONASTERY.

WE have learned from preceding portions of this work that the successors of St. Ecgwin claimed for their foundation entire exemption from episcopal control. Not only thus, but they even further urged for themselves, and exercised, an almost episcopal jurisdiction over the chapelries within the Vale, that were subordinate to their monastery. These were, in consequence, not visited by the diocesan, but by one of their own establishment, who was styled the Dean of the Vale, and who likewise collected the Peter's-pence,—or pecuniary acknowledgment made yearly to the court of Rome—which collection elsewhere usually pertained to the diocesan. These rights they appear to have rested upon a bull from pope Celestine, which must therefore have been granted them about the period of the Norman conquest.

In this manner a large portion of the Vale became what is ecclesiastically termed a monastic Peculiar ; as being not under the control of the ordinary of the diocese, but under that of an individual appointed by the monastery. Some appearance of incertitude has been given by previous writers to the precise number of parochial chapelries included in this peculiar. A legal opinion prepared for Bp. Freake, after the dissolution,[465] in citing the papal Decretals with regard to the urged exemption, considers the phrase employed—"the churches of the Vale"—as too indefinite. Dr.

[465] In Nash's Worcestershire, vol. i. page 422.

Nash, with Mr. Tindal, seems disposed to restrict the exemption to the six chapelries which had been transferred by Henry VIII. to the dean and chapter of Christ-church, and which elicited the legal opinion above noted.[466] But taking as our guide the Schedule prepared by the Commissioners of Henry VIII. when recapitulating the spiritualities of the monastery, at a period when these could not but have been clearly defined, we learn that the Vale—ecclesiastically considered as under the jurisdiction of the monastic dean—comprised the parochial chapelries of All-saints, St. Lawrence, and Bengeworth,—which chapels we have already described—together with those of North-and-Middle, and South-Littleton, Offenham, Bretforton, Badsey, Church Honeybourne, Norton, Hampton, and Wickhamford; being twelve in the whole.[467]

In each of these places considerable possessions had been conferred by the two Saxon kings upon St. Ecgwin's foundation. At that early period, though these kings themselves had recently embraced the faith as propagated from the see of Rome, their subjects could hardly have been christians even by profession. We may then justly look upon the district as a moral waste; and cannot err in regarding the scattered residents as semi-savages. Here then the humble inmates of the infant monastery were to employ their zeal, by gradually proselyting, as well as civilizing, the inhabitants. In this they would commence by apportioning to the residents tracts of land, which by example and advice they would assist them in cultivating; and would then build here and there a church, wherein to collect them for worship and instruction. At length a member of their community would be statedly employed in each division as a parish priest, and in this manner tythe as well as rental would ultimately become secured to their establishment. By these means the character of the district would be gradually changed: and thus we doubt not that the foundation of all subsequent improvement in this vicinity was actually laid by the humble coadjutors of St. Ecgwin: unerring Providence seeing fit to employ here this handful

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[466] These are Hampton, Wykhamford, North Littleton, South Littleton, and Offenham.—*Nash*, vol. i. page 415: *Tindal*, page 236, note.

[467] "Decanat' Vall' Evesham, infra dioc' Wigorn', ac in Exempt' jurisdictione Abbatis et Convent' de Evesham."—*Valor Ecclesiasticus*, 26th Henry VIII. iii. 255.

of partially enlightened monks as the pioneers of all future advantages that should thenceforth be enjoyed by the inhabitants throughout the district.

To present a brief description of each chapelry within the deanery, we shall note them severally. First premising that they were all, evidently, what are termed parochial chapelries; their ancient fonts as well as well-filled cemeteries witnessing to the early period at which the rites of baptism and of burial were performed in connection with them. To obviate mis-description, as far as possible, we have in succession personally inspected each. And we, further, think that he who is fond of rural pilgrimages, and can full leisurely describe the circuit, will find himself remunerated by the rich tract of cultivated country, intermixed with touches of a ruder landscape, that will be here presented to him; as well as by the placid pictures of rural life occasionally thrown athwart his course; not only from the remoter and more straggling habitations, but also from those nearer and more formally arranged. So true do we find it, that the rural life of England is still the life least changed. The searcher after antiquities will further meet with mutilated relics of peculiar interest, while peering round those primitive, comparatively humble, yet substantial ecclesiastical structures, which the wide-spread authority of the abbacy of Evesham reared for the observance of religious offices among its feudal thralls. Within these silent and secluded walls, where modern trimness and formality are almost unknown, surrounded by mouldering vestiges of the older ritual, he will feel himself for awhile thrown back among the people, the usages, and the associations, which imagination persists in picturing as pertaining to a more heart-whole and unsophisticated time.

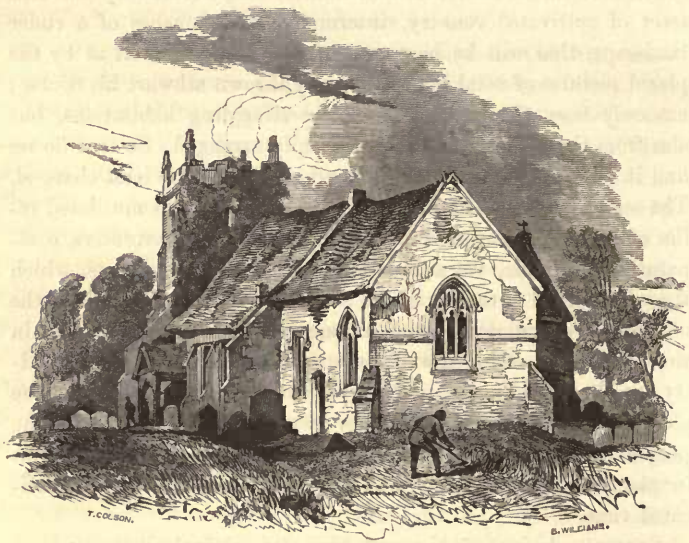
Norton—derived from *north town* its original distinction, as lying in that direction from the monastery—is about three miles from Evesham, on the Alcester road. The Saxon kings Kenred and Offa gave, in the year 703, seven manses or farms in this parish to the abbey;[468] and at the time of Domesday it held here seven hides. The church, dedicated to St. Ecgwin, is seated in a meadow by the way-side, and has nothing to distinguish its present grave-

[468] Charter in Cotton. MS. Vesp. B xxiv.; copied in Tindal, p. 150, and Dugd. ii. p. 15.

yard from the open field, except the mouldering tumps and scattered stones spread underneath the walls of the building. Or, as the poet Wordsworth writes,—

> "Where holy ground begins, *un*hallowed ends—
> Is marked by no distinguishable line;
> The turf unites, the pathways intertwine."[469]

The church is distinctly stated in the abbey chronicle to have been erected by abbot Brokehampton,[470] who florished about the year 1290. It was consecrated by the bishop of St. Asaph, upon the feast of St. Peter ad Vincula, in 1295;[471] and the greater portion of the whole doubtless continues as left by the rebuilder. Alterations



[Norton Church—1843.]

have occasionally been made in some of the windows since, and the chapel at the north may also be regarded as a subsequent addition. The tower which is well-proportioned is also of a later and more

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[469] Wordsworth's Sonnet—"On a Parsonage in Oxfordshire."

[470] Acts of the Evesham Abbots in Harleian MS. 3763: "De Gestis Abbatum."

[471] Cottonian MS. Vitellius E xvii. fol. 228: in Dugdale, vol. ii. p. 34.

finished style; as indicated by the neat battlement and pinnacles, the salient figures at the angles and beneath the parapet, and the double-pointed windows under a horizontal head. We shall find most of the towers throughout the deanery of the same age and character; from whence we are led to suppose that they were wholly additions or renovations made by some later abbot; and, from their appearance, we conclude that they were erected rather early in the fifteenth century; perhaps during the presidency of abbot Bremesgrave. The ivy which luxuriates upon the eastern wall obscures too great a portion of that side of the tower, and needs to be restrained. Its exuberance is partly attributable to great part of the nave having, through neglect, at no very distant period wholly fallen in, leaving the little tower almost disconnected from the church, the west end of the nave being consequently filled-in with lath and plaistering. The heads of the doorways at north and south are singular, being formed of a semi-hexagon, instead of the usual arch, and cuspidated inwardly.

The interior of the building has an unusually jumbled look; chiefly occasioned by its loss of great part of the nave, and also from the absence of an arch between this portion and the chancel, where a wide awkward aperture occurs, as though the arch had at no distant period been taken out, to disseminate the voice of the reader. It is in the chapel at the north that we must look for most of the original character. Here the work is less disturbed; and the addition of three striking monuments of the Bigg family—sustaining effigies of knights in mail and dames in courtly dresses—though near the age of Elizabeth—add considerably to the effect. Overhead we see displayed, as trophies, the emblazoned surcoats, helmets, arms, and banners, actually used by the deceased; and the spectacle thus complete is singularly impressive.

Since writing the above, the nave of the church has been rebuilt in a manner suited to the public worship of our own time; avoiding the obstruction of arches and pillars, by omitting the ancient side aisles. The chancel and monumental chapel have at the same time —September 1844—been carefully repaired, and the burial-ground is now enclosed. Among the principal contributors to the restoration, we find Her Majesty Queen Adelaide; the Bishop of the diocese; the Dean and Chapter of Worcester; the rev. William Brown, vicar;

Edward Holland, esq. and family; Robert Blayney, esq.; Edward Rudge, esq. and family; the rev. W. Digby; and the rev. Matthew Lunn. The entire cost was £700, and the whole was designed, undertaken, and completed by Mr. Solomon Hunt of Evesham.

Norton at the dissolution became the property of the king, and according to Nash it came, so late as the time of Philip and Mary, to sir Philip Hoby; whose nephew, sir Edward Hoby, sold this estate and some others. The hamlet of LENCHWICK within this parish belonged to the abbey at Domesday survey, and a manse here had previously been given by Kenred and Offa. It had once a chapel dedicated to St. Michael, which is now wholly destroyed. The amount of pentecostals, or Whitsun-farthings, paid by Norton and Lenchwick to Evesham abbey as the mother church, was, at the dissolution, valued at 1*s.* 10*d.* yearly.[472] The population of the parish, at the census of 1841, was 385.

In crossing the Avon, in the direction of Twyford—the *two fords*—a part of Norton parish named in the earliest of the abbey charters, we observe on the opposite side vestiges of an ancient stone bridge which has been long destroyed: and while we sail across the ferry at "Offenham Boat" we look into a charming corner, distinguished in its simple beauty from all other spots which we have met. The river bending along the foreground, the shady lane, and wooded bank from whence the rustic ale-house peeps through the intervening trees, the rude steps that ascend to it from the water's edge, and the gay colors occasionally hoisted in the sunshine from some barge at anchor, while the crew have landed to refresh—complete the picture. Leaving the ferry-boat and clambering up the bank, we gain the rich and level tract upon the other side, called, as tradition states, after a once royal owner—

OFFENHAM: from *Offa's ham*—the holme of Offa—his irrigated lowland on the river's verge. Etymologists might perhaps hastily refer the origin of the name to Offa, the most potent of the kings of Mercia. But in one of the earliest of the abbey charters, dated in the year 709, forty-six years before the accession of the Mercian Offa, we find this village noticed as *Offeham*, in the grant of a manse here to the abbey from Kenred of Mercia, and Offa king of

[472] Abstract of Roll 33, Henry VIII. in Augmentation Office.

the East Angles.[473] We cannot assent to the supposition that Offenham, in Mercia, could be named from Offa of Suffolk; neither can we divine why he, who bestows nothing from within his own territory, should so readily assist in dispensing the property of an independent king; unless this be regarded as an additional token of the subserviency which the East Anglian kings are known to have evinced toward those of Mercia. The vagueness of traditionary legend clings, however, to the *apparent* origin of the name. It tells of a palace here, once occupied by the Mercian ruler; points to a platform as its actual site, which rises gently from a mead adjoining; and still distinguishes the former as "the king's bank," and the latter as the "king's piece" or meadow.

In a list of benefactions among the abbey records,[474] Offenham is said to have been given to Evesham by Ethelred king of Mercia, as early as the year 703. In the survey of Domesday, Offenham is recorded as belonging entirely to the monastery. The village is particularly retired, there being actually no road *through* it; so that those who ride into it—which they may do—must ride back again the same way. This seclusion is perhaps partly occasioned by the place having at an early period been a favorite retreat of the abbots. Soon after the year 1160, abbot Adam enclosed here a park, and erected a grange with other buildings.[475] In the next century, abbot Brokehampton enlarged the grange; and some years after him abbot Ombresley added a gatehouse and stabling. In the reign of Henry VI. abbot Bremesgrave constructed an additional apartment, which he ornamented with a window of painted glass representing the Salutation of the Virgin, and at the same time repaired the private chapel. Hither the last actual abbot, Clement Lichfield, retired; having, according to Leland, previously rebuilt the greater portion, and here he ultimately died. The deer-park was enlarged by abbot Norton, early in the reign of Henry VII. It is delightfully situated along the river's verge; and its boundary

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473 The former is the king who in 709 abandoning his throne, went to Rome in company with the latter, and there embraced the monastic life, as we have already intimated on page 93.

474 "De Principalibus Eoveshamensis Cœnobii Benefactoribus," in *Harl. MS.* 3763.

475 Acts of the Abbots, in *Harleian MS.* already cited.

is, on the north and west, still clearly defined by a broad fosse and corresponding bank, which once restrained the occupants, and which the parishioners yet recognize as "the deer's leap." The site of the abbatial mansion is upon the Manor Farm, near to—if not partially upon—the spot now occupied by the farm-house. The latter building seems to have been constructed out of the remains of the former; and in digging, during the summer of 1843, in the yard adjoining, extensive foundations, together with fragments of mullions and doorways, were found. Great part of the moat that extended round the mansion may still be clearly traced.

The church is conveniently situated near the village-street, and is dedicated, according to Nash, to the saints Mary and Milburge. It is a simple structure, comprising merely a nave and chancel; with the addition of a tower of similar character to that at Norton. The appearance of the interior is much impaired by the removal of the ancient arch, which occurred, as usual, between the nave and chancel. The original flooring and ancient pews have also been too much interfered with. All this, with the chilling effect of white-lime, which seems to have been almost *trowelled* on to the walls, breaks up the usual associations of antiquity. At the dissolution the king granted Offenham to sir Philip Hoby; and in the reign of Elizabeth, his nephew sold it; after which it came to the Hazlewoods, then lords of the manor of Bengeworth. The population of the parish, at the census of 1841, was 353.

As, being pedestrians, we need not return through Offenham street, we will pass the lofty May-pole yet standing on the village-green,—a mere memento of bygone pastime, if not of its present abuse,—and hence strike across the meadows, in our course to the Littletons. But first, we may halt at a snug *Waltonian* resting-place, known to the disciples of old Izaak, and to others, as "the Fish and Anchor," upon the Avon-side. Thence, mounting the bank, we proceed to

Middle Littleton—or *little town*. In the two parishes, now distinguished as North-and-Middle, and South Littleton,—then apparently one parish,—the two Saxon kings gave thirteen manses to the monastery; and in Domesday survey *Liteltune* is entered as belonging to this abbey. The church here—now that of North-and-Middle Littleton—is cruciform, being the first of this figure

with which we have at present met. It is of moderate size, without aisles; and has the usual substantial tower at the west. The churchyard Cross remains singularly entire to the summit of the shaft, where a sun-dial has since supplanted the more ancient termination. Upon the pine between the nave and chancel there is a small stone turret, which we presume originally contained the sacring-bell, that was rung when the congregation sang the *Sanctus*, during mass. Near the chancel-window there remains an ancient grave-stone, in the churchyard; flat, but distinguished by a cross cut in relief. The interior of the church is plain and simple; being unusually freed from modern excrescences. The font, remaining in its ancient station near the porch, is large and cylindrical; it is slightly ornamented on the face, and has the cable moulding under. It belongs, we apprehend, to the eleventh century; and its capacious bowl is thickly lined with lead. Much of the old tiled pavement continues undisturbed; and within the chancel-arch are some particularly interesting vestiges of the original oak-screen, with portions, even, of its folding-doors for communication: the beautiful line of flowing quatrefoils here—a portion of which remains next the reading-desk—is a charming specimen of the ease and grace which our ancient artists threw into their most unostentatious performances. In the little chapel or transept at the north, we may trace the groove, in the angle next the chancel, which seems to have conveyed the cord to the sacring-bell without. The chapel opposite was added, under license from one of the abbots of Evesham, by a private individual, as appeared in Dr. Nash's time from a stone inlaid with an effigy and inscription in brass, which that historian notices as then occurring in its floor; though we regret to add that the brasses have been since removed. The stone itself continues, and the recesses for the effigy and inscription may still be traced upon it. The latter ran thus—"Pray for the soul of Thomas Smith, who under the licence of my lord abbot of Evesham made this chapel of his proper cost; on whose soul Jesus have mercy." We have no clue to the name of the abbot who furnished the grant, but we conclude from the appearance of the chapel—the roof of which has been clumsily replaced—that he florished at the close of the fifteenth century.

Toward the north of the church, from which it is a little way

removed, but within the parish of North Littleton, which has now no church of its own, stands an extensive and remarkable barn of stone. It is about 150 feet from east to west, is in form of a cross, and has the threshing-floor along the transverse portion, with a lofty pointed archway at each end, including the great doors. The crosses, still remaining on the summit of the pines, identify it as pertaining to the Church; and as abbot Ombresley erected a tithe-grange near this parish,[476] we have no hesitation in regarding this as the grange built by him to receive the tithe of corn from the

[Abbey Tythe-Barn at Littleton.]

parishes of Littleton, belonging to the monastery. After the dissolution the three Littletons were granted, in the 13th of Elizabeth, to Thomas Leigh; who having sold them, Middle Littleton passed to sir Matthew Carew, and at present belongs to the family of Rushout. There remains extant in the possession of Fisher Tomes, esq. of Welford, near Stratford-on-Avon, an original court-roll of the manors of Littleton, from the 17th year of Henry VIII. to the 30th inclusive [1525 to 1539]. In this is the following notice of

[476] "Apud Northlyttelton ædificavit unam grangiam decimalem."—*Acts of Abbot Ombresley*, in Harleian MS. 3763.

ancient boundaries.—"At the court held for the manor of North Littleton May 3, 29th Henry VIII. before Philip Hawford, cellarer at Evesham, a grant was made to Humphrey Mountford of North Littleton of the moiety of a fishery in the water called Avon; namely of a part of the said water, from the end of the marsh of June-meadow to Honyam-street, and thence the whole and entire fishery of the same water to Pyxham hedge, together with the loppings, &c. of the willows growing on the bank of the water; at a rent of four shillings a year." The population of North Littleton, at the census of 1841, was 296. A few minutes' walk brings us to the adjacent village of

South Littleton—an ancient looking and retired spot. The church is a small and unpretending structure, with a small chapel at the north, and a neat embattled tower, as usual in the Vale, upon the west. A rude wooden porch covered and lined with ivy and a yew tree near, render its appearance ever verdant. We enter, and are forcibly impressed with the primitive simplicity of the interior. We tread upon the ancient pavement formed of small glazed tiles, which, though foot-worn, still retain traces of their original decoration; we look upon the simple font, that fronts the doorway, and revert to the conventual ecclesiastics who there successively administered the rite of catholic initiation; we regard the low, doorless pews, built evidently for devotion, and cannot but picture the awed expression stamped on the countenances of the earlier worshippers. There are traces of an altar in the little chapel at the north; and on each side of the chancel-archway square openings have been left in the thick stone-wall to admit glimpses of the service at the altar from those stationed in the aisle.

The Littletons of Frankley, according to Nash, possessed lands in this parish after the grant to the Leighs. But sir Thomas Coventry, lord-keeper in the reign of Charles I. having purchased the manor, the earls of that name have since been the chief proprietors. The population of South Littleton, at the census of 1841, was 189. Passing through the village and turning to the left, we pursue our course to Honeybourne. But the observer who would follow in our track, whether he walk or ride, must choose a dry period for the trip; as otherwise, whether by road or field, he will find the flat a "stiff country."

Church Honeybourne—or Steeple Honeybourne, as it is sometimes locally termed—may be considered to derive the last syllable of its name from being seated near a *burn* or water-course; as a brook runs through the village toward the river. The Saxon kings already noticed gave two manses and a half in Huniburn to Ecgwin; and the parish is recorded in Domesday as then belonging to the abbey. Abbot Randulph, in the reign of Henry III. built here a residence and constructed a fish-pond and dove-house. De Brokehampton, abbot in the following reign, enlarged the house, and added the private chapel.[477] The church is situated at the lower part of the village, and very strikingly differs from the other churches of the Vale. The tower, which is entirely plain and divested even of a parapet, sustains a well-proportioned spire of later date. This is octagonal, and is enriched at the base by four large and handsome pinnacles, as well as by a spacious window beneath a canopy, constructed in the lower part of each face of the spire. A ring of smaller lights occurs again about midway toward the top, and the whole most certainly surpasses in appearance all other steeples in the vale and town. The nave and chancel are destitute of aisles and all other projections, except a strong and, even, *stone-roofed* porch: but a second or clere-story range of windows gives a commanding appearance to the nave externally, and elevates it boldly within. The tower—exclusive of its spire—may be considered one of the oldest portions. The chancel, which is as usual lower than the nave, was rebuilt by abbot Brokehampton; soon after which it received consecration from the bishop of St. Asaph, on the feast of St. Ecgwin, 1295.[478] The building is in admirable repair; and the interior has lately been characteristically pewed with solid oak, the walls and ceilings being made to harmonize in color. If properly attended to, nothing further will be needed than the lapse of a few years, to give mellowness to the tone; and the church may then vie in its fittings with the best in the county. It is gratifying to add that the repairs and renovation have been effected pursuant to the will of the rev. T. Williams, the late incumbent, at an expence of £500. The pointed arch between the

[477] Acts of Abbots Randulph and Brokehampton, in Harleian MS. before cited.

[478] Cottonian MS. Vitellius E xvii. in Dugdale, vol. ii. p. 34.

nave and chancel is lofty and well-proportioned. The piscina near the altar is placed within an arched and canopied recess; and in the east window there were, in the last century, remains of the original stained glass; among which Dr. Nash has noted the arms of William de Bois, abbot of Evesham in the reign of Edward III. But all colored vestiges have now nearly disappeared.

After the dissolution, the greater part of the abbey-land in this parish was granted to the dean and chapter of Westminster; in whom that portion is still vested. The remainder was given to sir Philip Hoby, including the manor of Poden; and this subsequently came to Walwyn Graves of Mickleton, esq. The population of Church Honeybourne, at the census of 1841, was 119. In proceeding now toward Bretforton, the next chapelry of the Vale, we pass a startling spectacle upon the left—a church in Gloucestershire, the neatly formed tower of which—windowless and roofless—is riddled by the winds; while a groupe of squalid hovels usurping the position of the nave, extends to the chancel, which still remains, though alike perverted into dwellings. The present condition of the whole is that of a neglected human "rookery," disgraceful to the place. This village is named *Cow* Honeybourne, as sir Robert Atkyns says, from the number of its cows. Even in his time, 1760, the church was desecrated as at present.[479]

Bretforton—or *broad-ford-town*, presents a pleasing contrast, in the neatness of its street and the respectability of its appearance, to the place at which we have just glanced. Kenred and Offa gave largely in this parish to the monastery; conferring on the founder no less than twelve manses in the place: and in Domesday it is noted as belonging wholly to the abbey. The church is conveniently situated in the centre of the village, and is spacious and airy; with a well-built tower, of the usual character, at the west. The nave has the addition of side aisles, which are connected with the body internally by spacious pointed arches, resting upon well-proportioned *cylindrical* columns, finished with bold and varied capitals, worthy of particular remark. There is a chapel jutting out beyond the aisles, at north and south; so that the church is thus rendered cruciform: and in that at the south we see traces of the

[479] Atkyns's Gloucestershire, second edition, page 194.

stone stair-case, together with the doorway, that admitted to the rood-loft. We cannot but wish that the re-pewing of this church had been effected more in unison with the ancient style, a sample of which is still visible at the end of the south aisle; and we further regret that its walls, and especially the arches and pillars, are not carefully relieved of their coating of execrable white-wash. The church is dedicated to St. Leonard. During the reign of Henry III. its proceeds as a chapel to the monastery were assigned to the convent by abbot Randulph, to provide for a perpetual celebration of the feasts of Relic Sunday and of the martyrs SS. Vincent and Odulph, as already noticed on page 108. It was consecrated, we presume on account of some degree of renovation, upon the feast of St. Thomas of Canterbury, by the bishop of St. Asaph, then visiting the monastery, in the year 1295.[480] The manor of Bretforton continued with the crown till the reign of Elizabeth, when it was granted to the earl of Leicester; and in the time of Charles the Second it was held, according to Nash, by William Canning. The population of the parish, at the census of 1841, was 511.

Badsey—written Baddesei in the abbey manuscripts—is no-wise inferior in the airiness of its street and the substantiality of its principal dwellings to either of the villages within the Vale. Its Saxon termination *eye*, signifying water, applies to its situation near a brook, which has long been used for water-power. Kenred and Offa, in their endowment of St. Ecgwin's monastery, gave five manses and a half in this parish; and the place is registered in Domesday as then belonging to the abbey. The church stands in an open burial-ground, rising gently from the street; whence with its remarkably pretty tower and ancient yew-tree it is seen with good effect. The structure is dedicated to St. James; and was consecrated on the feast of St. John, in the same year and by the same prelate named in our account of Bretforton. There is a striking similarity in the building to the majority of the churches in the Vale: a nave and chancel, with a chapel at the north, and the tower standing west. The latter is finished with more than ordinary care; its pinnacles are eight in number, the salient busts beneath its parapet are spiritedly carved, the mouldings of the upper win-

[480] Cottonian MS. Vitellius E xvii. in Dugdale, vol. ii. p. 34.

dows well brought out, and a spacious and well proportioned window of four bays is placed above the western door. A small circular-headed doorway, with a horizontal lintel, in the north wall of the nave, though now closed up, deserves attention; as proving that a church was constructed on this spot long before the re-consecration of 1295. The chevron moulding occurs within the arch, and the square architrave presents the cable moulding below. A curious cross remains upon the chancel, being that known to heralds as a cross patee, environed by a hoop of stone. Another, similar to a cross floree, remains upon the gable of the chapel. The interior presents a spruce appearance; its original character being nearly lost amidst boxed-up pews and coats of whitelime. The ancient chancel-arch is supplanted by a trumpery curve, not very dissimilar to a piece of bent timber; and the only monument of particular interest is smothered half way up in deal panelling. It is distinguished by the arms of Mr. Richard Hoby, placed upon the top, the youngest brother of sir Philip whom we have so often mentioned; and was erected to the memory of his wife and that of her first husband, by Margaret Newman, their daughter, who married Richard Delabere of Southam, Warwickshire.[481] The kneeling effigies are sadly mutilated, and the whole is in such a state as to require the notice of any of the family who may chance to be still remaining. From an ancient minute-book belonging to the parish, beginning in 1524, and continued down to recent years, we find this Mr. Hoby to have been elected churchwarden here in April, 1602.[482]

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[481] Abingdon's MS. and Nash's Worcestershire, vol. i. page 53.

[482] This book is in the keeping of Mr. Collett, as churchwarden. Among the simple Accounts of the earlier periods are several curious entries connected with the ancient worship. Thus—

		s.	*d.*
A.D. 1527.	Paid for painting of the cloth afore our Lady .	1	0
——	Paid for the painting of the Rood . . .	2	11
1531.	Paid for the taper set afore St. Nycolas . .	1	2
1533.	Paid for the foot of the pyx	2	2
1538.	Paid for the Sawnse-bell [Saints'-bell] . .	2	2
——	Paid for painting of the sepulture cloth . .	2	9
1546.	Paid for making the four sentinels . .	2	8
——	Paid for the Judas	0	10

The three last entries relate to the representation of Christ's entombment, formerly made in our churches during Passion-week.

It was in this parish that abbot Chyryton, in the reign of Edward III. provided a garden and buildings, for the retirement of sick or convalescent monks from his abbey.[483] The site of this appears to be the spot now known as the Manor Farm-house, to the left of the path called "Monken Lane," on entering the village through the fields from Evesham. Some vestiges of, perhaps, the ancient buildings, within the present tenement, have induced strange notions among the villagers as to the uses of two disused drains and part of a culvert, which some of them gravely consider to be burial places and a subterranean walk. A large apartment above had been, in the same spirit, described to the writer as presenting vestiges of partitions; which might have induced him to consider it as the dormitory of the original establishment, but a visit to the naked loft —for such it actually proved, and always must have been—at once dispelled the thought. The fish-pool may be still distinctly traced at the side of the present garden toward the north.[484]

At about a mile's distance eastward from the church, upon a farm occupied by Mr. Gibbs of Knowle Hill, and seated on a gentle slope, is a field now called "Foxhill." Here pieces of coarse, dark, gritty pottery are widely strewn, intermixed with fragments of finer quality, colored red. Human bones in beds, and those of animals, apart from the former, intermixed with antlers of deer and the horns of small cattle, have also been recently disturbed. Rude slabs of stone, occasionally laid kiln-wise, and bearing marks of fire, have likewise been exposed. These we at first regarded as places where the ware was baked; but Mr. Gibbs remarks that the soil being wholly upon gravel, there is no material for pottery any where near. No coins appear to have been found here, with the exception of one of those small copper Constantines that elsewhere commonly occur; but what is perhaps earlier than our Roman coinage—a rude bead or annulet, of pared bone, one inch in diameter, and a fourth of an inch thick, has been preserved. As soon as the present crop will permit, Mr. Gibbs intends to open the ground for careful examination. Meanwhile, from what we

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[483] Cottonian MS. Vitellius E; cited on page 82.

[484] In a schedule of the time of Henry VIII. given in Stevens, vol. i. page 463, mention is made of "one house called a Seyne House within the parish of Badsey;" which perhaps means sick-house, and may therefore apply to the above.

have hitherto seen, we are disposed to regard the site as that of a British settlement; but whether so occupied *before* the Roman invasion we are not at present prepared to assert.

The hamlet of ALDINGTON, within this parish, was at the time of Domesday a *berewic*, or corn-farm, annexed to the manor of Offenham, and held by the abbey. Abbot Randulph built a grange upon it during the reign of Henry the Third. At the dissolution Badsey was granted to sir Philip Hoby, from whom it passed to his fourth and youngest brother Richard Hoby, esq. who appears to have died without issue. Aldington is regarded by Nash as having been a principal seat of the Hobys, after whom it came to sir Peter Courtene, created a baronet in 1622. The population of Badsey, at the census of 1841, was 497. From Badsey, a gentle walk, skirting the brook and leading through a meadow of rich and elastic greensward, conducts us to the retired and peaceful little village of

WYKAMFORD—called Wicwon in the charter of the Saxon kings, who gave three manses here to the abbey. In Domesday the place is registered as Wiqvene, and as belonging wholly to the monastery. Among the many structures of the class raised by abbot Randulph upon the abbey estates, we find that a grange was built by him at *Wykewane*. The church here is dedicated to St. John the Baptist. Its unpretending tower—much simpler in design than those already noticed, though generally resembling them—shows prettily above the trees that environ it; and the substantial little fabric at its base is in accordance with it. The whole is in good repair, and the interior presents unusual indications of carefulness. The woodwork has been cleaned throughout, and several pieces of carving have lately been added to the panels. These, though of a later and too elaborate character, are gratifying, as evincing an unwonted degree of interest in the appearance of the structure; but had a warmer tint been substituted for the cold white upon its walls, the whole would have been more in unison.

In the chancel—which with the nave and tower completes the building—there are two enriched altar-tombs with effigies in alabaster, beneath horizontal canopies upon Corinthian pillars; one presenting the recumbent figures of sir Samuel Sandys and his lady, and the other those of sir Edwin Sandys and lady. Both

the knights died in 1626, and are ancestors of the present Sandys family. These monuments together with the entire church were carefully repaired in 1841, at the expence of Arthur Lord Sandys; by whose family Wykamford was purchased from the Throckmortons, to whom it had fallen at the dissolution. The population of this parish, at the census of 1841, was 123. Turning toward Evesham, but leaving that upon the right, we arrive at the Avon-side and are within the parish of Great-and-Little

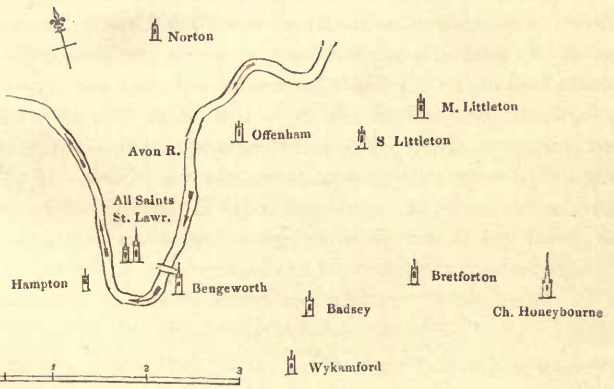
Hampton—written Hamton in the charter from Kenred and Offa; which name, *Ham town*, expresses its situation near the low ground next the river. The number of manses given here to the monastery is not clearly stated in the Saxon charter; Hampton being there mentioned in connection with Bengeworth, while nine manses are given in both conjunctively. In Domesday, Hampton is entered as held by the abbey; though part of the property appears to have been then taken from the church by Urso d'Abitot. At this time, according to that survey, there was a salt-work within the parish, which yielded thirty oræ. In the reign of William I. abbot Walter constructed a vineyard here, upon the bank above the river, facing the park of the monastery; and from a letter addressed to abbot Bremesgrave in the reign of Henry V. we find that the abbots possessed a mansion here likewise.[485] At the dissolution the amount of pentecostals paid by the parishioners to Evesham abbey as the mother-church was valued at 2*s.* 2*d.* yearly.[486]

The church is built upon a gentle knoll above the river; whence viewed in connection with the stream it forms a pleasing addition to the landscape, from several positions. The building comprises a nave and chancel; having the tower, not at the west, but placed upon arches at the junction of the nave and chancel. The church is regularly and uniformly built, and being freed externally from that odious modern mixture of lime and pebbles which usually disfigures our rural churches, the masonry is properly seen. Abbot Randulph rebuilt the chancel early in the thirteenth century; and according to Mr. Abingdon, there was during his time much

[485] "Wryten in youre awyn house at Hamptone, yn the whiche I trist yn God hastely to se yow."—*Letter from Leyot, Chancellor under the Duke of Bedford*, in Cott. MS. Titus C ix.; copied in Dugdale page 8, and Tindal page 37.

[486] Abstract of Roll 33, Henry VIII. in Augmentation Office.

curious painted glass in its windows, alluding to the connexion of this chapel with the abbey. The interior is light and airy; to which the lofty and well-proportioned arches beneath the tower contribute much. The absence of any gallery at the west is another advantage; so that scraping from the walls and roof-timbers the encrusted whitelime, would at once restore the interior to much of its original character. Having so often had occasion to advert to that barbarous mode of disfiguring old interiors, we are—after having often observed the traces of ancient distemper-coloring within our larger churches—disposed to think that stencilling with sober tints, in ancient arabesque patterns, would be a cheap and appropriate coloring for church interiors. If so, might not the Cambridge and similar Societies desirous of promoting consistent ecclesiastical decoration, furnish among their other models, patterns or even moulds of the character required? In the burial-ground, the ornamented pedestal of the Cross, remaining near the very ancient yew, deserves attention; although the steps and basement, with a mortice for the shaft, are all that now remain. After the dissolution, messuages and lands at Hampton were granted in the 36th of Henry VIII. to Richard Andrews: but the manor was at that time held by sir Philip Hoby, and this he afterward made over to his brother, sir Thomas. The population of the parish, including a portion called Little Hampton, was at the census of 1841, 469. From this chapelry we return to Evesham, and complete our circuit of—"THE DEANERY OF THE VALE."



CHAPTER XIII.

CIVIL AND MUNICIPAL INSTITUTIONS: FROM THE ANGLO-SAXON ERA TO THE PRESENT TIME.

READER, we have during an earlier portion of this history stood together upon the holme of Eoves, before its town was known: and we have gazed upon that wooded headland, till the humble monastery of Ecgwin rose within its bower, and the low chaunt of Saxon orisons thence floated on the breeze. At a yet later, but still distant period, we have beheld a cathedral-like erection of Anglo-norman skill supplant that humbler structure; the holme illumined by its altars' blaze, resounding with the anthems of its white-robed choir, and chequered by 'processions due in long array' winding athwart the greensward. Meanwhile we have witnessed the incipient Town cowering, like the encradled infant, beneath the shelter of its Convent's walls, increasing with the growth and strengthening with the strength of that ecclesiastical institution.

The Abbot of the Monastery was, therefore, in olden time a personage of no ordinary character. Lord of the soil, lord also of its slaves,—supreme controller likewise of the few then elevated above that character,—he held, as it were, the keys of life and death; present existence and future salvation, being made dependent on his will. The first by his territorial capacity, the latter by the sacraments of his church. Thus through the Saxon era, when civil and ecclesiastical government were close combined, the abbot, as the most intelligent, most potent and most important personage, in addition to his sacerdotal character fulfilled the local office of a civil judge. For though—as is elsewhere observed—"when liberty reigns in the intellectual world, when human thought and con-

science are *not* subjected to a power which denies them the right of discussion and decision and employs force to crush them,—when, in fact, there is no visible and constituted spiritual government arrogating and exercising the right of dictating opinions,—*then* is the idea of the dominion of a spiritual order over a temporal impossible;" yet when even thought and conscience are restrained by laws and institutions which arrogate a right to command and to coerce them, it is then natural that the spiritual power "should be tempted to lay claim to dominion over the temporal order."[487]

Analagous with Anglo-saxon polity, the local government was then most probably vested in a court subordinate to the shire-gemote, or assemblage of the county; distinguished also from, though doubtless similar to, the court of the hundred; being probably synonymous with the folc-gemote, or local assemblage of the inhabitants, convened by the magistrate whom they themselves elected:[488] though, for the reasons above stated, we consider the presiding officer to have been, in this instance, the abbot of the monastery. Throughout these centuries of Anglo-saxon rule, not only was the observance of the laws enforced by this gradational system,—"justice being thereby brought home to the doors of every man,"[489] —but obedience was further ensured by an obligation imposed on every male above the age of twelve years: all such being then required to swear in open court allegiance to the king and submission to the laws; which done, they became recognized members of that division of the community wherein they dwelt. These members

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[487] Guizot's History of Civilization in Europe, Lecture VI.

[488] In the Shire-gemot, the bishop and ealdorman of the county presided.—*Turner's Anglo-saxons*, iii. b. vii. Subordinate to this court there were several others, each in its order of superiority having an appellant jurisdiction.—*Scriven on Court Leet*, p. 802. In the Hundred Court the hundredary presided, being assisted by the archdeacon, and occasionally by the bishop. Questions were here determined by the votes of the assembly, collected by the hundredary; who like the magistrates of our own day could only pronounce the sentence. The Folc-gemot, folk-mote, or burgemote, appears to have been the principal court in cities and towns; it was held monthly, resembled the hundred court, and was composed of the burgesses. The presiding magistrate was here most probably elective; as we learn from Henry, that the president in the hundred court was elected to that office by the other members.—*See Henry's History of Great Britain*, vol. iii. pp. 339-42.

[489] Judge Blackstone.

were further bound together for the good behaviour of the whole. So that if they failed to bring forth a criminal from among them when required, they were compelled to pay the mulct, or fine, which the laws appended to his offence. Inquiry made respecting sworn-allegiance thus observed, was termed "the view of frankpledge," still known to us by name.

It is generally admitted that the subordinate institutions of Anglo-saxon jurisprudence continued to exist, with little variation, for some time after the Norman conquest. But the chivalrous and feudal system introduced by that military people, had naturally some effect upon the details of our ancient institutions. Hence, although the establishment of Court-Leet cannot, perhaps, on this account, be distinctly traced to its Saxon origin—yet there are incidents analagous that sufficiently identify it with such a derivation.[490] Among these incidents we find—the general assembly of males inhabiting the district, election of a stated number to decide upon all causes, with the principal individual presiding by his deputy,[491] in order to pass sentence according to the decision of the jurors of his court. And further, the mouldering vestiges of that plighted faith, by which our Saxon ancestors were bound, are even at present traceable in the "view of frankpledge" which, as we have intimated, still remains. We learn from the conventual registers, that after the conquest Henry I. extended the jurisdiction of the abbot and convent over the entire hundred in which the town is situated; at the same time conferring on them the privileges of "sac, soc, tol, tem, and infanginethofe," by his charter, which we have previously noticed, and which will be found copied in our Appendix.[492] By this the hundred was exempt from the interference of the sheriff, as well as from service at his court; such service being transferred to the abbot and his successors, as lords of the

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[490] Our legal authorities, though agreeing in the Saxon origin of the term *leet*, yet vary in opinion upon its precise derivation. Sir Edward Coke derives it from ȝeleþian, to assemble together: others from læt, judicial censure, or leoð, the people; or leꝛ, to assign.

[491] It is the opinion of Sir Edward Coke, that the steward is merely the representative of the lord in his absence.—See his "*Compleat Copyholder*," sect. xlv.

[492] Carta Henrici regis Ecclesia de Evesham de Hundredo de Blacahurst.—*Harl. MS.* 3763, folio 79: translated in the Appendix, No. VIII. See also p. 32 *ante*.

fee; stolen goods became the property of the convent; and the abbot was at the same time allowed to adjudicate in cases of theft. A weekly market was further granted to the town; the tolls from which were secured to the monastery.

Of the local polity of our ancestors, as modified by Anglo-norman usage, we have evidence respecting Evesham by which we can proceed on certain ground. This is embodied in depositions made in the court of Exchequer, during Elizabeth's reign, upon a suit respecting "the rights of the leet and three-weeks' court" held in this town; maintained by sir Edward Hoby against Kighley and others.[493] From this evidence we learn that court-leets had then been held here immemorially: a fact likewise corroborated by the abbey registers. For in a grant from the abbot to the bailiffs of the town, executed in 1482, it is provided that the old bailiffs shall at Michaelmas law-days find bread, cheese, and ale for the steward and jury to eat and drink, as aforetime.[494] References of a similar nature also occur elsewhere among the monastic charters. In the depositions to which we have adverted, we find the ancient usages of the leet, as held here long before the dissolution of the monastery, to have been as follow. There were two "law-days" in the year; one at Easter, the other at Michaelmas. The court was summoned in the name of the king, and not of the abbot. A steward presided; respecting whose appointment the evidence we now proceed upon is not sufficiently clear: though from one of the conventual manuscripts it is shown that at the view of frankpledge held in 1432, the seneschal of the monastery presided as steward.[495] The great leet was that held after Michaelmas. In this, the jury "appointed by the bailiffs," and sworn to inquire of matters inquirable, "did choose" the two bailiffs or governors of the town,

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[493] "Sir Edward Hoby, kt. complaining against Bartholomew Kighley, Philip Parsons, William Tolley, and William Brantley, defendants."

[494] Grant from the abbot of Evesham to the bailiffs of the town of the rents, profits, &c. due to the monastery at Michaelmas, for ever. Dated 1st October, 22d of Edward IV.—*In Augmentation Office*, Y 43.

[495] "Ad visum francisplegiæ tentæ apud Evesham, die Sabbati [Saturday] in festo S. Michaelis Archangeli, anno regis ejusdem Henrici decimo, coram dno. Humfrido Stafford, tunc ibidem senescallo."—*Paper concerning the destruction of a private Corn Mill, during the abbacy of De Bremesgrave*, in Cott. MS. Titus C ix. fol. 10.

for the ensuing year. These by virtue of their office assisted in the folk-mote or "three weeks' court," held statedly in the town for the preservation of the peace; received the profits of markets and fairs, together with amerciaments and escheats; and, after the suppression of the monastery, paid to the king for the same a fee-farm rent of twenty marks yearly.[496] The bailiffs were likewise publicly distinguished by that ancient emblem of civil authority —the mace; two of these being borne before them, by sergeants appointed by themselves.

According to the uniform evidence of the deponents in this case, which extended from personal knowledge to a period as far back as sixty years preceding the dissolution of our monasteries, the abbot had no voice in the election of the bailiffs of the town. His own bailiffs—who were merely collectors of the rents of lands, tenements, and premises, belonging to the abbey—were, of course, appointed by himself; these were four in number; two for All-saints' parish and two for that of St. Lawrence; and these were paid yearly. By another witness we are told that the abbot did not, either "by prerogative or authority, intermeddle with the bailiffs of the said town." Indeed the townsmen—as though already participating in the intellectual dawn of the coming Reformation—had, during the abbacy of Clement Lichfield, evidently become tenacious of ecclesiastical dictation in civil affairs. This fact is furnished us by one of the banished inmates of the then recently dissolved monastery,—an aged "clerk" named William Lyttleton, 'heretofore one of the monks of Evesham' and then of the age of eighty years—who deposes that "during all the time of his remembrance, he never knew any of the abbotts of the late dissolved monastery elect or choose any the bayliffs of the said town. But Clement Litchfield some time abbott of the late dissolved monastery did request the inhabitants of the said town that one John Mathews being the chief cooke

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[496] "It seemeth to this Courte, as well by divers accompts remayning of record in the said Courte of Exchequer, as also by the depositions of divers witnesses produced, that the bayliffs of the said town of Evesham, as well *before* the dissolution of the said late monastery as sithence the dissolution thereof, have had and enjoyed in fee-farm, at and for a certaine yerelie rent of xx^{ti}. marks—amongst other things, the profits, perquisites, amerceaments and casualties from tyme to tyme arisinge or happeninge."—*Office Copy of Exchequer Decree:* dated 6th Nov. 29th Elizabeth.

of the said abbott might be chosen bayliff of the said town. But the said inhabitants refused so to do: saying that 'they would not seek their bayliff in the abbott's kitchen!' Whereupon the said abbott provided him another cooke for that year: and thereupon the said inhabitants chose the said Mathews bayliff of the said town for that year. And this was done long before the dissolution of the said monastery." Whatever influence therefore attached to the abbot's station was latterly indirect, and exercised only through such members of the jury as might be favorable to his views. For, as another witness informs us, "many even of the most substantial inhabitants were the abbot's servants," and for these he sometimes "sued the inhabitants that such might be put into their election for bailiffs of the town."[497]

After the dissolution, sir Philip Hoby, by virtue of a second royal grant, conferring on him all the royal courts,[498] appointed at that time the steward of the leet. But the knight—now occupying, as landholder, the situation which the abbots formerly held—like them desired to influence the election of the bailiffs in the local court. For this purpose he chose a more sinuous course than even the wily churchmen had employed. He had been used to courts and courtiers, and had been an ambassador abroad; therefore instead of startling the rude burgesses by claiming any right to interfere with their election, he quietly "made suit to the chief inhabitants" that the jurors should furnish the names of six candidates for the office of bailiff, and that he as steward of the leet might prick from them the two who should be chosen.[499] This proposition was, we find, agreed to; and the new mode of election continued to be observed for some years. But though the innovation was assented

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[497] Deposition of Adam Smith, aged 68.

[498] This grant is dated 2d October, 38th Henry VIII. and confers all the royal courts to sir Philip Hoby and his heirs, 'as fully as to the king they came.'

[499] "He hath credibly heard reported, and it is manifestly known, that sir Philip Hoby deceased made suit to the chief inhabitants of the said town, that the jurors might set down in election for the said offices of bailiffs the names of six honest and discreet persons of the said town, yearly; viz. of either of the said two parishes three names; and that he, as steward of the leet, might have the pricking of the said bailiffs. Which was yielded unto. And the same manner of election hath continued ever since."—*Deposition of William Byddle of Evesham, aged sixty years.*

to, yet there were found some dissatisfied burgesses who would by no means consent to any further compromise of their rights. One of these, whose name with honor we record—WILLIAM BRANTLEY—being chosen bailiff at the leet, on hearing sir Philip boast that *he* could appoint one of the subordinate officers, declared before his face, in open court, that "he should not:" for that he was bailiff, and rather than submit to such infringement of their ancient customs, he would disfranchise himself, and never be bailiff more.[500] Sir Thomas Hoby, the collateral heir, seems to have been equally inimical to the ancient usage of the town. In the evidence of Byddle, before cited, we hear of him, as lavishing threats that he would "sue the bailiffs and inhabitants respecting their privileges;" because, as would appear, they did not choose wholly to surrender them to the new landholder.

After the death of sir Thomas, lady Russell of Strensham acted during the minority of sir Edward, the heir; and seems to have continued the assault upon the local immunities of the burghers. She is introduced to our attention—in the evidence of Robert Andrews, her man-servant—as familiarly acquainting him, about the year 1576, that he "should have the honour of pricking old Hawkins of Evesham to be one of the bailiffs of the town." This he was to effect by the message he was directed to carry from his lady; in which he was to signify to Mr. Cokesay, the steward of the leet, that it was *her will* that the said Hawkins should be made one of the bailiffs of the town, for the coming year. The intimation does not seem to have been received without some angry indications on the part of the jurors; whom it was needful to pacify by much plausible representation from the steward, Mr. Cokesay. The required name was at last included in their list of six, was pricked by the steward of the court, and Mr. Hawkins was sworn one of the bailiffs of the town.[501]

In April, 1583, the minority of sir Edward Hoby had expired; for in this year we find George Hawkins appointed by him as steward of the leet. In October of that year, queen Elizabeth thought fit to question sir Edward's right, as regarded the courts;

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[500] Deposition of Henry Dingley, of Charlton, esq. aged seventy years.

[501] Deposition of Robert Andrews, aged 64, formerly the lady Russell's serving-man.

she having already formally demanded by what title the site of the monastery was held by his family?[502] The result was, the queen's enforcement of her claim to appoint the steward of these courts; by commissioning Bartholomew Kighley to act as steward, under patent from the crown. He, in thus entering on the office, is represented as declaring to the suitors that the leet was the court of her majesty, and that sir Edward Hoby had no right to keep any court there.[503]

In the following year, 1584, the deponents introduce to us a new candidate for local sway—one Mr. Cesar; who wages open war against the townsmen; avowing that "they had no liberties, and that he would overthrow all such as they had ere long, and would make a hundred pounds of the first court that he should keep:" and, further, that "no inhabitant should wear a silk button but he would make him pay for it." The person who indulges in this vaunting and by no means pacific strain, was a member of the Inner Temple, and joint purchaser about this time of great part of sir Edward Hoby's property in the town. In an indenture dated 24th of May, in the 27th of Queen Elizabeth, he is styled Thomas Dalmare, otherwise Cesar, of the Inner Temple, gentleman; and appears here as purchaser, together with Mr. George Tolley, of 147 dwelling houses in the town; severally described as situate in "Bridge-strete, Mill-hill, Cole-strete, Ote-strete, Rinehill-lane, High-strete, Merstowe-green, Rotten-row, the Church-yarde, the Market-place, Bewdley-lane, and Brittayne-strete." Having thus become a large proprietor here, he in 1584 personally withstood the steward of the queen in proceeding to the business of the leet. So that when the bailiffs who had been elected at the previous Michaelmas,[504] attempted to go up into the New Town-hall, Cesar struck one of them with his fist, at the same time employing expressions derogatory to his station. Upon a second attempt to

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[502] Among the "Memoranda" in the Exchequer, occur the following:—"De Thoma Hobby, Arm. occasionato ad ostendendum quo titulo tenet situm nuper monasterii de Evesham."—3 *Eliz. Rot.* 127.—"De Domina Elizabetha Hobby, vidua occasionata ad ostendendum quo titulo tenet domum et situm nuper monasterii de Evesham."—9 *Eliz. Rot.* 73.

[503] Deposition of George Blokely of Evesham, aged sixty years.

[504] Mr. Philip Parsons and Mr. W. Tolley.—*Dep. of H. Strayne, of Evesham, baker.*

enter, made by one of them, Mr. Parsons, he even charged his servant, who carried fire-arms, to discharge his piece at him, if he offered any more to go up. In April 1585, her majesty's steward again presided at the leet, though not without considerable interruption. He found the lower door of the New Hall locked against him; the two serjeants "with two great black staves with pikes of iron at the ends," guarding the entrance; who, being charged by the steward to serve the queen at that court, refused to succumb.[505] The court was in consequence held, though amid much uproar, in the area beneath.

Sir Edward Hoby, on account of these interferences from the crown, commenced proceedings in the Exchequer court, during the following year; in order to establish the right claimed by him, as heir of the original grantee. Upon this, the court decreed in November, 1586, that by virtue of sir Philip Hoby's grant from Henry VIII. in the thirty-eighth year of his reign, sir Edward, his heirs and assigns, should thenceforth appoint the stewards of the leet and three-weeks' court; it being the opinion of the court, that the steward of the possessions of the monastery had heretofore been steward of these courts. That the bailiffs of the town should still enjoy the profits of markets and fairs, with casualties and all perquisites of courts; and, as before the royal grant to sir Philip Hoby, the bailiffs had held the same in fee-farm of the crown, so they should now pay yearly to the heirs and assigns of the said grantee the ancient rent of twenty marks yearly.[506] The three-weeks' court was to be duly kept in the old Booth-hall, from three weeks to three weeks; and the nomination of bailiffs was to be made yearly by the jurors of the Michaelmas leet, by their returning the names of three substantial franchised inhabitants out of each parish, to the steward; who should from such list select two to be bailiffs for the ensuing year.

We have now obtained a pretty satisfactory view of the civil constitution of the town throughout the middle ages, continued also to the close of Elizabeth's reign. Throughout this lengthened pe-

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[505] Deposition of George Hawkins, of Clifford's Inn, London, esq.

[506] This rental, amounting to £13 6*s.* 8*d.* is still paid by the corporation to the owner of the abbey site.

riod we find the steward of the leet presiding as judge of the local courts; the jurisdiction of which only embraced offences of minor description, leaving all causes of moment to the unbiassed decision of a superior and more distant tribunal; the office of bailiffs was then also more analagous to that of conservators than justices of the peace; their character being synonymous with boroughreeves, as the executives of a town, and of a similar description to that of shire-reeve, or sheriff of the county in the present day.

Thus did the civil institutions of Evesham pursue the ancient tenor of their way, till the accession of the Stuart dynasty, in the person of James the First. But no sooner had that monarch ascended the English throne, than some influential members of the local court at Evesham, aspiring to an official election, as well as commercial monopoly, more exclusive than their ancient institutions could secure,[507] sought for some courtly friend to breathe their wishes in the royal ear. And as it happened that the incumbent of All-saints' parish was at this time chaplain to the Prince of Wales, it would seem that Dr. Lewis Baylie was the personage employed to influence the heir-apparent in their behalf. In unison with such a supposition,—the king being no-wise adverse to whatever promised to augment his influence in the House of Commons,—we find a royal charter granted to the borough in the first year of James's reign; wherein we are specially informed that the privileges it secures were granted at the express solicitation of the monarch's eldest son, as being "the first petition" he had ever made. To this we may add, that the divine above-mentioned, when ultimately raised by royal favor to the bishoprick of Bangor, was shortly after elected high-steward of the borough, by the grateful corporation here.[508]

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[507] "All at this period was MONOPOLY. Scarcely an article could be named, the sale or manufacture of which was not in the grasp of a patentee. Even the exercise of industry, if skilled, was fettered: and our boroughs swarmed with guilds and incorporated trades, governed with by-laws which were vigilantly and rigorously enforced against alien intruders, in the exercise of their several crafts and mysteries"—*Wade's Middle and Working Classes*, chap. vii.—Instances of the same spirit will be found in our Notices of Occurrences within this borough, in our 15th and 21st chapters.

[508] "30th May, 1615. The R^t. Rev^d. Father Lewis Bp. of Bangor elected High Steward in the room of Sir Thomas Challoner."—*Corporation Book*.

This charter, dated at Westminster, 2d March 1604, after referring to charters not existing and prescriptive privileges not defined,—proceeds to incorporate the burgesses, by the name of the bailiffs, aldermen, and burgesses of the borough of Evesham. It also declares that the two bailiffs shall be respectively designated as the high and low bailiff; and appoints the existing bailiffs, chosen at the last court leet, to continue under this charter, during the usual time. It further provides that the number of aldermen shall be twelve, and that of the principal burgesses the same; and also appoints the individuals who first should execute these respective offices, as also those who should be constituted the first high steward and town clerk. It then proceeds to ordain the election of parliamentary representatives by "the bailiffs, aldermen, and burgesses of the borough," and finally declares that the village of Bengeworth shall thenceforth be included within the jurisdiction of the same borough. The matrice of the present borough seal bears date during this charter; it is of silver, and must have been executed at

[The Borough Seal—actual size.]

this time. On the obverse is a fanciful representation of the borough as a fortified town, with the word EVESHAM upon a scroll beneath it; round the edge is inscribed—*Liber ab Henrico factus sum Principe Burgus* 1604. On the reverse is the inscription

Sigillum Burgi Eveshamensis, surrounding a shield, charged with the armorial bearings newly conferred on the burgesses by the sovereign. These, in special honor of their princely advocate, are selected from the arms of the heir apparent—as prince of Wales, duke of Cornwall, and earl of Chester. They are consequently, azure, within a bordure bezanty, sable, *Cornwall,* a princely coronet over a garb, *Chester,* between two ostrich feathers of *Wales:* and are thereon represented as below.

[Borough Arms—from Reverse of Seal.]

This new order of affairs was however destined to be soon remodelled. For in the third year of James's reign, the genial beams of royal favor were again directed toward our town; resulting in a second charter: another gift bestowed at the humble petition of the monarch's firstborn,—so runs the royal declaration—"being *the first* request he *ever* made to us in our realm of England." This second charter, dated 3d of April 1605, recites the antiquity of the borough as before; recounts from information the defective state of discipline in the Bengeworth suburb of the town, and on this account proceeds to incorporate jointly the burgesses of Evesham and the resiants of Bengeworth, by the name of the mayor, aldermen, and burgesses of the borough of Evesham, in the county of Worcester. By this charter—which, be it remembered, is now the governing charter of the borough—the high-bailiff under the former grant is created mayor, the number of aldermen is restricted to seven, but that of the principal burgesses continues as before. These, with a recorder and chamberlain, constitute the common-council of the borough; twenty-four burgesses being now added to the corporate body, not as common councillors, but as "assistants

of the borough." And it is further specially enjoined, that in the foregoing offices, an inhabitant of Bengeworth shall be elected, at least every seventh year, as mayor; and that two of the aldermen, four of the capital burgesses, and eight of the assistants, shall at all times thereafter be resiants and inhabitants of the same place. To this is added an express provision, securing to sir Philip Keighley and his heirs, the hereditary rank of alderman.[509] A high steward is at the same time nominated and declared; a separate jurisdiction within the borough is further secured; the holding of civil and criminal courts confirmed; and power even to execute sentence of death within the borough is conveyed. Two burgesses are directed to be returned to parliament by "the mayor, aldermen, and burgesses of the borough;" and power is given to the common-council to admit non-residents, as well as inhabitants, to the freedom of the borough, "in the same manner and form, and under the same corporal oath, as the burgesses of the borough within the same used formerly to take." This oath will appear at full in our ensuing chapter.

This second charter continued undisturbed, till some years after the restoration of Charles the Second: excepting that the corporate body, notwithstanding the above provision, restricted the right of election—as was then becoming usual—to the corporate officers alone; as will be shown hereafter. But Charles, apparently doubting that the stability of his throne could be secured by the *affections* of his people, hesitated not at the employment of any means tending to introduce his partizans alone to offices of trust. For this purpose, his restoration commenced with the enactment of a statute entitled, an Act for the well-governing and regulating of Corporations; by which all corporate officers could be removed, who happened to maintain opinions in any way repugnant to the notions of the crown. By virtue of this statute, commissioners were appointed to re-administer to all persons bearing any office connected with the government of corporate towns, the oaths of supre-

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[509] The last hereditary alderman under this clause was a sir Philip Keighley, who died about the year 1705; as appears from the following entry in the Corporation Book.—"22d June, 1705. Edward Goodere, esq. elected alderman in the place of the heir male of sir Philip Keightley, which is extinct."

macy and allegiance; imposing likewise another, denouncing the unlawfulness of taking arms, under any circumstances, against the sovereign. This municipal lustration was in every instance to be made complete by a written renunciation of any obligation imposed by "the solemn league and covenant." Refusal to any of these requisitions was to be followed by instant deposition: and even where any member of the local executive had actually sworn and subscribed every thing desired from him, the commissioners possessed, by virtue of this statute, full power to degrade him from his post, should they in any degree suspect his trebly-sworn adherence to the king.

In the year that succeeded the passing of this act, Evesham was visited by commissioners appointed under it; and about the same time, as appears from the corporation books, three members of the common-council were expelled for non-subscription.[510] But the above extraordinary enactment proved as ineffectual and impolitic as the warmest constitutionalist could desire. For in a few years the mistrustful and suspicious monarch—harassed by plots and conspiracies, imaginary as well as real—determined that, though already hemmed in by spies, informers, and suborners, his subjects should yet be deprived of any share in the election of their local rulers which his restrictive statutes might by possibility have left. Under pretence of asserted derelictions, informations "quo warranto" were therefore now so generally brought against corporate towns, commencing with the metropolis, that in addition to the number of charters thus obtained,—many other corporations anticipated the assault, by voluntarily surrendering their privileges. As observed by an eminent writer—"judges of assize, in their circuits, prostituted their influence and authority to forward this and every other encroachment of the crown. Jefferies on the northern circuit in 1684—to use the language of Charles II.'s most unblushing advocate [North]—made all the charters, like the walls of Jericho,

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[510] "21st July, 14th Charles II. This day Hugh Kate, a freeman of this borough, was chosen Assistant by the Commissioners for Regulating of Corporations."—"1662. July 11. John Lunn, chosen of the Common-council in the room of Samuel Gardner, ejected for non-subscription. Edwin Baldwin elected into the same in the place of Thomas Millner for non-subscription. John Winnoll elected in the place of John Ballard for non-subscription."—*Corporation Books.*

fall down before him, and returned laden with surrenders, the spoils of towns."[511]

In April, 1680, this corporation received a letter from the lords of the privy council, demanding an account how the Act of the 13th of the king had been observed. The following is the subdued reply that emanated from the chamber:—"May it please your lordships, We the mayor and capital burgesses of the corporation of Evesham having received your lordships' commands to give your lordships an account whether the magistrates and officers there have taken the three oaths and made and subscribed the declaration according to the Act of Parliament made in the 13th year of his gracious Majesty's reign, entitled an Act for well-governing and regulating of Corporations; in obedience whereunto we humbly represent that the government of the said corporation according to the charter thereof consists of a mayor, recorder, aldermen, and common-council, to the number of twenty-one persons, and that six of them who are now of the common-council were continued by the Commissioners on the commission grounded on the said Act, soon after the making thereof, and did receive the sacrament of the Lord's Supper according to the usage of the Church of England, and take the said three oaths and make the declaration in the said Act mentioned. And we further humbly represent that thirteen more, being the present mayor, recorder, and the rest of the aldermen and common-council of the corporation, have at their coming into the office of mayor or of the common-council also received the sacrament of the Lord's Supper, and taken the said three several oaths and made the declaration as by the said Act of Parliament is required and enjoined, which was done and performed publicly at the coming into the said office or place. For many years past the said Act of Parliament hath been publicly read, and such as have not been accordingly qualified have been rejected and not sworn, and others chosen thereupon; and for the two others, to complete the number, there is now a vacancy by one very lately deceased, and no person in that place as yet elected; and one other, viz. John Keightley esq. is an alderman by virtue of the charter, which appoints that the heir male of sir Philip Keightley shall be

[511] Hallam's Constitutional History of England, vol. ii. page 614.

an alderman of the said burgh, and Mr. Keightley is descendant and heir male of sir Philip; but Mr. Keightley being no inhabitant within the said burgh, he hath not as yet acted as an alderman or taken the said oaths. We are very sensible, and as in duty bound do humbly acknowledge his majesty's princely and great care for the preservation of the peace and good and quiet of us and all his majesty's subjects, and in obedience to your lordships' commands we shall for the future observe and take care that no officer or magistrate of the said corporation shall be admitted to or sworn into the said places until they shall observe and perform what is required by the said act of parliament, of which according to your lordships, your lordships shall from time to time have an account from your lordships' dutiful and obedient servants."

The immediate effect of Charles's arbitrary proceedings in connection with the corporation charters, was to throw all offices of power and profit at the disposal of the crown. By this not only was influence secured, but large sums exacted on the conditional restoration of these grants were at the same time obtained. From the extract presented in the note beneath, it will be seen that the public funds of this little borough were thus at once subjected to a startling charge of nearly £105;[512] which may at least be considered as equivalent to £500 at the present period: and of this sum more than two-thirds appear to have been absorbed by the crown and its subordinate officers. In furtherance of this nefarious scheme, restrictive charters were next granted to the violated municipalities; wherein their constitution was remodelled on the most stringent principles of oligarchical government. As a specimen of

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[512] Accompts of Mr. John Horne, in the Corporation Books; beginning in December 1682, and ending in December 1683; signed by the mayor and twelve common-councillors.

	£	s.	d.
"Pd. Mr. Martin Ballard, Wm. Martin, and Jarritt Smyth, for going to Windsor, and thence to London, and thence to Windsor, to delr. or. Address to his Mātie	9	10	0
"In Mr. Byrd's hands to carry on the bussiness of ꝑcuring or. Charter, for wch he is accomptable	22	0	0
"In Mr. Edward Carter's hands, in order to defray ye charge of or. new Charter for wch he is to be accomptable . . .	33	6	4
"In the hands of Tho. Johnson, in order to defray the charge of or. new Charter for which he is to be accomptable . .	40	0	0"

these *Jeffrisian* productions,—we need only cite the charter now imposed on Evesham by the grace and favor of the crown, in lieu of the more ample privileges secured by that already granted by James the First.

This charter, bearing date the 12th of June, 1684,—after re-incorporating the three parishes, and providing a mayor and officers similar to the last,—proceeds to nominate severally to these offices such individuals as were considered least unfavorable to the despotic disposition of the king. And now the election of representatives to parliament, instead of being continued with the burgesses at large, is limited to the twenty-one common-councilmen of the selected corporation. And, irremediably to retain this close body of electors within the trammels of the royal will, the crown reserves to itself not only the right to appoint at all times four members of this council by the name of "justices," but further usurps the power to remove at its sole will and pleasure any corporate officer whatever, by a mere writ of privy-council, declaring any obnoxious individual to be so removed. Sir James Mackintosh, in his recent History of the Revolution, after noticing the vast number of new charters issued after the judicial decisions during this reign, thus comments on the result of the measure. "In six years, therefore, it is evident that by a few determinations of servile judges, the crown had acquired the direct, uncontrolled, and perpetual nomination of nearly one-half the members of the House of Commons."[513]

It is under the foregoing abrogated charter that the "Constitutions of the Borough" or bye-laws of the corporation, given in our appended chapter, are framed; in which the right of admission to the freedom of that body by birth or servitude first appears: and immediately subsequent to this charter, the present list of 'freemen of the corporation' begins. The charter itself continued only till James the Second desirous to strain the regal influence to its utmost pitch preparatory to a projected general election, appointed in 1687, after the example of his predecessor, commissioners, now styled "regulators of corporations," who were to visit every part of the country; and to whom was delegated ample and

[513] Mackintosh's History of the Revolution, 4to. page 186.

discretionary power to remove not only corporate officers, but even freemen, and to appoint others in their room. Jefferies lord chancellor, with four other peers, sir Nicholas Butler, and Father Petre, were regulators of the first class, who superintended the whole operation. Sir Nicholas Butler and Duncombe, a banker, regulated the corporation of London, from which they removed 1900 freemen; and yet Jefferies incurred a reprimand from his impatient master for want of vigour in changing the corporate bodies.[514] That the corporation of Evesham was, together with others, re-visited under this commission, no doubt can be maintained; although the fact does not appear among the irregular and unbusiness-like local entries of the period. The result of such an inquiry sufficiently appears in the entire withdrawment of Charles's charter from hence, and the substitution of a new one, calculated to rivet the chains of political subserviency more closely upon the yielding necks of the mayor and common-council.

The former charter of his late brother thus withdrawn, James the Second, by letters patent, dated September 1688, after reciting the ancient liberties of the borough, which it is asserted had then by negligence become void, as also an humble petition from the town, in which "the late" mayor and corporate officers are stated to concur: proceeds to re-incorporate the borough. A mayor and officers similar to the last are next appointed, with a reservation of power in the crown, as in the former charter of Charles, to declare at all times, the election of any officer void, by writ of privy-council; burgesses to parliament are likewise to be chosen by the select body, as before: and then, the last of the Stuarts—revelling in the intoxication of imaginary right divine, illimitable sway, and omnipotent prerogative,—proceeds "for himself, his heirs and successors, by virtue of his royal prerogative" summarily to annul the several provisions of four existing acts of parliament, enacted during the reigns of his immediate predecessors;[515] and further by the same powerful talisman doth "dispense, pardon, remit, and exonerate" all the officers of his new corporation, from any com-

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[514] See Mackintosh's History of the Revolution, pp. 187-8.

[515] 1st Elizabeth, cap. i.—3d James I. cap. iv.—13th Charles II. stat. ii. cap. i.—and 25th Charles II. cap. ii.

pliance with the several oaths, declarations, sacraments, and subscriptions, by the said acts enacted to be taken by all persons holding office under the crown. The whole concludes with a provision that no high-steward, recorder, or common-councillor of the borough, shall have power to execute their several offices, until the royal approbation under sign-manual be previously conveyed.

Such is an outline of the most important portions of the Evesham charter, granted by James the Second. An historical document of no trivial value; as tending to exemplify in a striking degree, that unconstitutional policy of the king, which, from his ascension of the throne to the period of his abdication, formed the most marked and most alarming feature of his reign. For it was not merely in connection with the municipal corporations, that this monarch exhibited his fearful arrogation of a dispensing power in the crown, capable of suspending statutes as occasion might require, but in his nominations and appointments to all other offices, whether of church or state. How would the ears of Englishmen now tingle at such a proclamation as the following, issued at Edinburgh 12th February 1687, a part of which runs thus—"And we by our sovereign authority suspend, stop and disable all laws or acts of parliament made or executed against any of our Roman Catholic subjects; so that they shall be free to exercise their religion, and to enjoy all. And we cass, annul, and discharge all oaths by which our subjects are disabled from holding offices."[516] Thus determinately bent upon a re-introduction of the Roman-catholic religion, which the statutes of his kingdom imperatively forbad, the sovereign, presuming upon the subserviency of his parliament, had with amazing effrontery already avowed from his throne before that assembly, his determination to bid defiance to the laws: and this is the language he employs—"Let no man take exception that there are some officers in the army not qualified, according to the late tests, for their employments. The gentlemen are, I must tell you, most of them well known to me; they have approved the loyalty of their principles by their practise; and I will deal plainly with you, that after having had the benefit of their services in such a time of need and danger, I will neither expose them to disgrace,

[516] See London Gazette, 28th February to 3d of March, 1687.

nor myself to the want of them, if there should be another Rebellion to make them necessary to me."[517] This avowal had been met by a corresponding but laudable boldness, in the sentiments embodied by the House of Commons in their responsive "address,"[518] and was received also with equal disapproval by the House of Lords. Parliament was in consequence prorogued, only eighteen days after its convention, and during this reign never legislatively sat again.

The king, thus suddenly deprived of that acquiescence from his parliament, upon which he had presumed; aware likewise of the actual inefficiency of that decision in favor of his dispensing power, which by proceedings most derogatory he had succeeded in procuring from a packed judiciary tribunal in 1686,[519]—at length resolved to secure by a general election, such a house of commons as should in every respect submit to the furtherance of his views.[520] To facilitate this intention, the government in 1687, scrupled not to address to the lord-lieutenants of counties official circulars, calculated fearfully to intrench upon the freedom of election; for refusing to comply with which, fourteen lieutenants, comprising the principal nobles, were suddenly removed; their stations being filled by catholics, and others who were protestant merely in name: while charters, such as that of Evesham, which we have just reviewed—were already in preparation, to ensure the compliance of the newly-incorporated electors in cities and towns. But while the hapless monarch impressed his signet upon the above illegal instrument, the memorable Revolution followed hard upon his heel: and in the immediate prospect of the landing of Prince William, within a

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[517] King's Speech at the opening of Parliament, Nov. 9th, 1685.

[518] In that address the House after setting forth the legal incapacity of the Catholic officers as capable only of removal by act of parliament, and stating therefore that the continuance of such officers would be taken to be a dispensing with the law—prayed that the king would be pleased not to continue such officers in their employments.—*Compare Mackintosh's History of the Revolution*, page 42.

[519] Obtained by an opinion from all the judges in England, excepting one, delivered on the 21st of June, in favor of the king's dispensing power; in the nominal action of Godden *v.* Hales.

[520] Namely, the repeal of statutes which, by prerogative, he was unable wholly to set aside—the Test Act, as destructive of the Roman Catholic religion, together with that of Habeas Corpus, as inimical to the absolute authority of the crown.

month after its execution the unconstitutional document was annulled by that proclamation from its royal but now terror-stricken author, in which corporations were restored to "their ancient charters, liberties, franchises, and rights." This was issued upon the advice of the bishops, after the king had fled to Faversham, in the month of October 1688.[521] By this proclamation the restrictive charters of Charles the Second were equally annulled, this document being in unison with an acknowledged principle in law—that the right of the crown being here already vested by a previous charter of James the First, such right could not legally be restricted by any subsequent act of the crown.

Since the final exercise of monarchical dispensative power assumed in the above proclamation, the two restrictive charters of this borough have tacitly been laid aside; and the second charter of James the First, as most expansive of the whole, has in like manner been restored to its legal position as the governing charter of the borough, with the exception of such few clauses as are affected by the Municipal Reform Act of William IV. Prior to the passing of that act, this corporation was visited in September, 1833, by two of the commissioners appointed by parliament "to inquire as to the existing state of the several municipal corporations in England and Wales." The queries proposed on the occasion embraced inquiries respecting the local limits of the corporation, the title of the body, its charters, officers, freemen, elections, fees, courts and officers, juries, police, gaols, fines, property and patronage, the local acts of parliament, and the general state and prospects of the town. The replies to the several queries, as presented by the commissioners in their Report, will be found entire in our Appendix, No. xviii.

Upon the introduction to parliament of the Bill to provide for the Regulation of Municipal Corporations, the members of this corporation in June 1835 petitioned the House of Commons against that measure, as having "for its object the entire destruction of the chartered rights and privileges which we [the said corporation] believe by the constitution of England to be inalienable without the concurrence of the burgesses to whom they were granted by the grace and favor of various of the kings of England." By the sub-

[521] Rapin's England, by Tindal, folio, vol. iii. pp. 279-80.

sequent enactment of the act in question, the criminal jurisdiction of the corporation is abolished, and the civil court is discontinued for the present. Under the same act of parliament, her majesty in 1838 commissioned four magistrates for the borough exclusively, who with the mayor—constituted a magistrate during two years, by virtue of his office—and in conjunction with the neighbouring magistrates for the county, hold petty sessions weekly within the borough. Commitments are now made to the county jail, and offenders are tried either at the sessions or the assizes for the shire.

We shall now present a list of civil officers, commencing with the few whose names we have incidentally discovered as being among the number of those formerly chosen yearly by the jurors of the ancient leet-court of the town: and having closed the list, we shall then proceed, in the ensuing chapter, to the elective and parliamentary history of the borough, so intimately connected with the subject which has here been under review.

BAILIFFS BY ELECTION AT COURT LEETS.

1306-7 Richard de Samborne and Richard Prudhome[522]
1584 Philip Parsons and William Tolly[523]
1603 David Sansom and Robert Allen.[524]

BAILIFFS, UNDER THE FIRST CHARTER OF JAMES I.

1604 David Sansom and Robert Allen
1605 Robert Allen and.....

MAYORS, UNDER THE SECOND CHARTER OF JAMES I.

1605 Robert Allen[525]	1607 Philip Gardner	1610 Henry Smith
—— Philip Harris	1608 David Sansam	1611 Edward Bowland
1606 Thomas Watson	1609 James Michell	1612 John Winnoll

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[522] Cotton. MS. Titus C ix. cited on page 80.

[523] Depositions in Exchequer Case, Hoby *v.* Keighley

[524] Recounted in First Charter of James I.

[525] The following information respecting this gentleman appears in an entry upon the Corporation Book.—"8th August, 7th James I. [1609]. The mayor and common-council, suspend Robert Allen, one of the aldermen, a capital burgess, and of the common-council, from his said offices, until he shall clear himself of having disclosed their secrets, and of giving out speeches tendering to the overthrow of the charter, and having lately joined himself with those that oppose the council." From a subsequent entry, dated 17th August, 1612, we learn that Mr. Allen, not having satisfied the council on these points, was formally ejected from their body.

1613 Edward Cugley
1614 Philip Harris
1615 Gilbert Smith
1616 Thomas Millner
1617 Joseph Phelpes
1618 Philip Gardner
1619 Francis Harwell
1620 Edward Cugley
1621 Robert Martin
1622 Nicholas Feild
1623 William Martin
1624 Richard Andrews
1625 Samuel Gardner
1626 Philip Harris
1627 Thomas Milner
1628 Edward Hollam
1629 Francis Harwell
1630 Edward Cugley
1631 Robert Martin
1632 William Martin
1633 Samuel Gardner
1634 George Kemp
1635 Thomas Ordway
1636 William Bartlett
1637 Edmund Young
1638 Thomas Milner
1639 Francis Harwell
1640 Robert Martin
1641 William Martin
1642 Samuel Gardner
1643 George Kemp
1644 Thomas Handy
1645 Francis Smart
1646 Thomas Jones
1647 Edmund Feild
1648 Edward Pitway
1649 Issac Diston
1650 Francis Vize
1651 Robert Martin
1652 Thomas Martin
1653 Samuel Gardner
1654 George Kemp
1655 Edmund Young
1656 John Ballard
1657 Thomas Milner
1658 Thomas Milner
1659 Thomas Harwell
1660 Thomas Yarnold
1661 William Rudge
1662 William Mathewes
1663 Nicholas Feild
1664 Philip Ballard
1665 John Lunn
1666 Richard Godard
1667 Jarrett Smith
1668 Edwin Baldwin
1669 Edward Feild
1670 Richard Young
1671 Thomas Harris
1672 William Lane
1673 John Say
1674 Richard Baylie
1675 William Rudge
1676 Martin Ballard
1677 Thomas Martin
1678 George Hopkins
1679 William Martin
1680 James Michell
1681 Nicholas Feild
1682 John Horne

MAYORS UNDER THE CLOSE CHARTER OF CHARLES II.

1683 John Horne
1684 Theophilus Leigh
1685 Sir John Mathews
1686 Edward Walker
1687 Jarritt Smith
1688 John Horne

MAYOR UNDER THE CLOSE CHARTER OF JAMES II.

1688 Thomas Harris—appointed to continue mayor till Michaelmas 1689.[526]

MAYORS UNDER THE RESTORED CHARTER OF JAMES I.

1688 Jarritt Smith
1689 Thomas Yarnold
1690 William Lane
1691 John Rudge
1692 John Turberville
1693 William Bird
1694 William Frere
1695 Rowl^d. Broadstock
1696 Jarrett Smith
1697 Robert Cookes
1698 William Rudge
1699 William Rea
1700 William Waring
1701 Thomas Yarnold
1702 Edward Walker
1703 William Lane
1704 Joseph Sargeant
1705 Bartholw. Huckett
1706 John Dover
1707 John Turberville
1708 William Loveday
1709 Valentine Smith
1710 Robert Smith
1711 Robert Mansell

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[526] The date of the above charter is September 17th, 1688; the proclamation that annulled it (see p. 269) was issued in the middle of October; and on the 9th of January following, 1688-9, "Jarritt Smith" signs the return of members to the convention parliament, as "mayor." The name of Thomas Harris, after 1671, does not even appear among the list of mayors upon the tables in the Hall.

1712 William Rudge
1713 William Tudman
1714 William Canning
1715 William Jew
1716 William Preedy
1717 George Hopkins
1718 Nicholas Feild
1719 John Bulleine
1720 Thomas Hull
1721 Thomas Savage
1722 Joseph Preedy
1723 Joseph Cooke
1724 Peter Penny
1725 John Perry
1726 John Whitford
1727 John Stone
1728 Joseph Sargent
1729 Edward Ingles
1730 Thomas Andrews
1731 Robert Cookes
1732 Francis Halford
1733 Samuel Goodere[527]
—— John Dinely
1734 John Dinely
1735 William Biddle
1736 Thomas Taylor
1737 Thomas Hull
1738 Joseph Preedy
1739 Joseph Biddle
1740 Robert Mansell
—— Thomas Ashfeild
1741 Richard Horne
1742 John Whitefeild
1743 William Jones
1744 Nicholas Feild
1745 William Churchley
1746 John Murgatroyd
1747 Thomas Staple
1748 John Rogers
1749 Charles Welsh
1750 Thomas Hull
1751 Charles Welsborne
1752 William Calcott
1753 William Penny
1754 Meyrick Feild
1755 William Preedy
1756 John Murgatroyd
1757 William Phillips
1758 Thomas Hull
1759 Thomas Dunn
1760 Thomas Rous
1761 William Preedy
1762 Elias Andrews, *statr.*
1763 John Stickley
1764 Joseph Biddle
1765 Thomas Staple
1766 Charles Welsborne
—— William Penny
1767 John Stickly
1768 Evan Jones, *clerk*
—— John Rushout
1769 Thomas Hull
1770 Anthony Roper
1771 George Walter
1772 John Roper
1773 James Agg
1774 John Stickly
1775 Bartholomew Dunn
1776 Thomas Hull
1777 John Rock
1778 Richard Soley
1779 Charles Welsborne
1780 Samuel Sandys
1781 John White
1782 John Hunter
1783 John Phillips
1784 Henry Goore
1785 James Welsborne
1786 William Bateson
1787 William Bonaker
1788 William Preedy
1789 John Brown
1790 Matthias Stratton
1791 Richard Soley
1792 William Bonaker
1793 Charles Welsborne
1794 John Stickly
—— Matthias Stratton
1795 Matthias Stratton
1796 Henry Goore
1797 Richard Soley
1798 Charles Welsborne
1799 Samuel Sandys
1800 Hon. G. Rushout, *clerk*
1801 Anthony Roper
1802 John Lord Northwick
1803 George Day
1804 Thomas Goore
1805 William Barnes

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[527] The celebrated Foote in his Account of the Murder of Sir John Dinely Goodere, by a younger brother, Capt. Samuel Goodere, named above—acquaints us that both the brothers were candidates for the mayoralty in the same year; and adds that they were both elected. This is in unison with the double entry occurring in the table; but the violent conduct of the younger brother seems to have left him occupier of the office. For it is added by Mr. Foote, that on the Sunday after the election, Sir John came first to church, attended by the proper officers, and took possession of the mayor's seat. The Captain, though he entered after the service had begun, when he saw his brother in the chair, ordered his servants to remove him. This was actually done, and the Captain then intruded himself into the vacant seat, which he seems to have retained during the remainder of the service.—*Memoirs of the Life and Death of sir John Dineley Goodere, by Samuel Foote, esq.* 4to. page 6: reprinted in 12mo. in 1843.

1806 William Soley
1807 William F. Preedy
1808 Thomas Beale Cooper
1809 John Hunter
1810 Sir C. Cockerell, *bart.*
1811 Edward Dolman Cooper, *clerk*
1812 William F. Preedy
1813 Matthias Stratton
1814 H. P. Cooper, *clerk*
1815 George Day
1816 Thomas Beale Cooper
1817 Hon. G. Rushout, *clerk*
1818 Daniel Edge
1819 Edward Savage
1820 Joseph Martin, *clerk*
1821 Thomas Beale Cooper
1822 William Barnes
1823 Benjamin Murrell
1824 William Soley
1825 William F. Preedy
1826 George Day
1827 Thomas Beale Cooper
1828 William Byrch
1829 John Procter
1830 John Thomas
1831 Daniel Edge
1832 John Walford Izod
1833 Sir C. Cockerell, *bart.*
1834 Alfred C. Cooper
1835 *Sep.* William Barnes

MAYORS UNDER THE ACT FOR REGULATING MUNICIPAL CORPORATIONS.

1836
Jan. 1. William Barnes
Nov. 9. Thos. Beale Cooper
1837 Thomas Nelson Foster
1838 Benjamin Workman
1839 John New
1840 J. M. G. Cheek
1841 Thomas White
1842 Anthony New
1843 Richard Gibbs
1844 John Bomford

CHAPTER XIV.

ELECTIVE AND PARLIAMENTARY HISTORY.

OUR preceding chapter, as bearing closely upon many portions of the present, will tend in some degree to elucidate the subject upon which we have now to enter. In connection with the English representative system the town of Evesham stands conspicuously among the number of our most ancient parliamentary boroughs; being such by prescription; and, independent, therefore, of any actual charter or incorporation from the crown. For, as early as the year 1295—and no parliamentary writs are, we believe, extant prior to 1294,—this borough returned two representatives to the parliament of Edward the First, convened by him for the express purpose of exacting from the trading part of the community, that pecuniary aid demanded by his Welsh and Flemish wars, which his oft-repeated levies upon the moveables of clerks and laymen had left him no other method to procure.

1295.—The representatives returned on this occasion from hence were elected under a writ tested at Canterbury, 3d October, 23d Edward I.[528] which summoned a parliament to meet at Westminster on the 13th of November following; though subsequently prorogued to the 27th of that month.[529] The burgesses here chosen, were *William de Sodinton* and *Robert de Hales:* whose manucaptors, or sureties for their faithful performance of the representative duty, were Robert de Badsey and William de la Holte on the part of De

[528] Copy preserved in the Temple Library. Petyt. Coll. tom. xv. fo. 97.

[529] The date of this prorogation, falls in the 24th *regnal* year.

Sodinton, with Peter de Croule and Richard de Verrer on the part of De Hales. William de Sodinton was so called from his estate at Sodington or Southinton, in the parish of Mamble and county of Worcester, and his arms were *three leopards' heads jessant fleur-de-lis, sable.* Dying without issue, his lands were divided among his three sisters; as appears from an assise taken at Southampton, in the 30th of Edward the First. The youngest of these married Walter le Blond, an ancestor of the ancient family of Blount, in this county; whence, partly by descent and partly by purchase, Sodington is at present vested in sir Edward Blount of Sodington, seventh baronet of that line.[530]

From the above early period down to the incorporation of the borough by James the First, the most rigid scrutiny has failed in discovering documentary evidence of any intermediate return: although representatives appear to have been sent from hence in 1337-8 to a national council respecting trade, held during the reign of Edward III., but not a parliament.[531] Mr. Tindal in his list of parliamentary representatives for this borough, has given the names of three individuals as returned here in 1338. But Willis distinctly declares the above return to have been only to a council: and Mr. Tindal refers to no authority for the ground of his own dissent.[532] As respects the gap which thus occurs in its parliamentary history, this borough is by no means singular. At the first-named period, and for centuries after, the expenses of the representatives, including their wages as servants of the burgesses at large, were defrayed by the constituents of each borough. From this burthen many boroughs were anxious to become exempted; and it is equally notorious that through the connivance of the sheriff many were thus relieved. There were also other grounds upon which such omissions took place: so that throughout the earlier periods the summoning of boroughs may justly be regarded as depending upon the sheriff's caprice. To cite one instance, among many such, the sheriff of Wiltshire, during the reign of Edward the Third, after making his return for Sarum and two other boroughs in Wilts, declares that there were no other cities or boroughs within his bailiwick: al-

[530] Vide Pedigree in Nash, ii. page 162. [531] Willis's Notitia, pref. ix.

[532] Tindal's Evesham, page 330.

though eight other boroughs there had previously sent members to parliament.[533]

As to the class of individuals who originally constituted the burgesses here, and as such elected to the parliament of Edward the First, we cannot proceed more satisfactorily than by referring to the highest legal authority upon such a point—the memorable Reports of Serjeant Glanville, who was chairman to that committee for elections in 1623 among whom "were the most celebrated names in the law—Coke, and Selden, and Finch, and Noy." And these decide that where there is "no certain custom nor prescription who should be electors and who not, we must have recourse to common right; by which more than freeholders ought to have voices in the election, namely, all men, inhabitant householders, resiants within the borough."[534] In unison with this decision we therefore presume, in the total absence of contradictory evidence, that the right of election here was, during the return under Edward the First, vested in *every* male inhabitant being a householder within the borough. No further qualification could originally have been required; save that the householder must, of course, have been sworn on the view of frank-pledge, at the leet. That done, his character as a burgess was complete, and his title to all privileges and immunities ensured. Serjeant Merewether favors the opinion that Evesham, like other places in which the *corporate* right of election afterward prevailed, had anciently burgages or messuages within the town of the borough, by tenure of which the right of election was secured to the holder.[535] The serjeant's opinion is grounded upon a mention made of *burgages* as well as lands in Evesham which were conveyed to the abbey by charter in the reign of Edward I.;[536] but we have no evidence to prove the exercise here of the ancient right referred to.

The depositions in the Exchequer case in the reign of Elizabeth, to which we have adverted in the previous chapter, convey to us the form of the burgesses' oath as then administered by the steward

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[533] Hallam's Middle Ages, cap. viii. part iii. [534] Glanville's Reports, xiv.

[535] Merewether and Stephens's History of Boroughs, &c. vol. i. page 526.

[536] Carta Edw. R. de terris et *burgagiis* Johannæ de Twye in Evesham.—*Harl. MS.* 3763, fol. 118 b.

of the leet, and as it had been administered, as proved in evidence, from time at that time beyond all memory.[537] This ancient form of plighted faith was expressed in the following manner.—"You shall swear to be true franchised men, and true faith and truth bear to our sovereign *lady* the *queen's* majesty, *her* heirs and successors, which shall be kings and queens of England: you shall also be obedient to the bailiff of this town for the time being: you shall also from time to time be aiding and assisting the aforesaid bailiff and constables of this town in the executing their offices; and you yourself not to refuse such offices as you shall be chosen and appointed to have in this town: the franchises and liberties of this town you shall not go about to impeach, any manner of way, but to your power maintain and support the same so long as you shall be inhabiting within this town: So help you God and the holy contents of this book."

Throughout the greater portion of that period during which the right of election seems to have lain dormant here, the interests of the inhabitants, then tenants of the church, were doubtless sufficiently observed by the parliamentary abbots of the monastery. These personages we find to have been regularly summoned, with other spiritual peers, down to the reign of the last Henry; when their omission by summons at length appears in the year 1540. Shortly after that period the consequence and importance of the house of commons is, by our best authorities, considered as commencing; the duties and expenses of representation being at the same time considered less burthensome than of yore. Ancient boroughs which had lost their elective franchise through disuse, now petitioned to have that privilege restored; while others, anciently debarred, were at the same time admitted to an equal right, either by express acts of the legislature or by letters patent from the crown. So that from the reign of Henry VIII. to that of Charles the Second, nearly two hundred members were by these means added to the lower-house.[538]

This borough, as has been already intimated, was among the

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[537] Depositions of John Rapp, Adam Smith, and William Byddle, in *Hoby* v. *Kighley and others.*

[538] Compare Editorial Preface to Glanville, ed. 1775, pp. iv. to vi.

number of those to which the elective franchise was thus restored. This was effected by charter from James the First; during whose reign seven other boroughs were restored, and six others were created; among the latter were the Universities of Oxford and Cambridge.[539] The charter to Evesham bears date the 2d of March in the first year of James's reign. It is worthy of note that although this charter nominates individuals to fill the various offices enumerated, yet it confers no power to create burgesses, but simply directs that all vacancies which occur in the new corporation shall be filled up "out of the *inhabitants* of the borough;" who, as we have lately shewn, were already burgesses prior to the charter. In the same spirit of conformity with the ancient right, representatives to parliament are further directed to be chosen by "the bailiffs, aldermen, and burgesses of the borough." The latter being thus evidently distinguished from a class termed 'capital burgesses,' first created by this charter of James.

1604.—March 15th. In thirteen days after the date of the foregoing charter, a return was made from this borough, under a summons issued prior to the charter itself, and bearing date the 31st of January, in the same year. The burgesses thus elected were sir *Thomas Bigge* and sir *Philip Keighlie*, knights. The return is made without signatures, under the common seal; but the parties named in the body of the indenture prove, from the charter, to be the bailiffs, six aldermen, and one capital burgess, beside three individuals whose names do not occur in that document. This is the only return made under the first charter of James the First. Sir Thomas Bigge, now elected, was of the family of Bigg of Lenchwick, whose arms were *argent on a fesse engrailed, between three martlets sable, as many annulets, or.* He was nephew to sir Philip Hoby by the mother's side; built the destroyed mansion-house at Lenchwick; died 4th May, 1613; and lies interred in the north aisle of Abbots' Norton church near Evesham, beneath a sumptuous monument surmounted with the kneeling effigies of himself and lady.

By the second charter, dated the third of April in the third year of James the First, the elective franchise as originally exercised is again confirmed; representatives to parliament being herein di-

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[539] Preface to Glanville, p. cviii.

rected to be chosen by "the mayor, aldermen, and burgesses of the borough," as before. Among the latter class are now included burgesses of the corporation, who were to be selected from resident and non-resident burgesses of the borough, in such manner as should most conduce to the advantage of the town, and under the same corporal oath as the burgesses of the said borough used formerly to take. The form of that oath we have given in a preceding page, but the following has been for many years employed in lieu of it. "You, as a freeman of this borough, do swear that you shall be true to our sovereign lord the king; obeisant and obedient you shall be to the mayor, magistrates, and ministers of this borough; the franchises, liberties, and customs thereof, you shall maintain: You shall be contributary to all taxes, watches, and tollages, contributions, tasks, lot and scot, and to all other charges in the said borough, legally imposed, assessed, rated or taxed on you, and bearing your part as a freeman ought to do. You shall take no apprentice under seven years at least; and within the first three months you shall cause him to be inrolled in the chamberlain's book of this borough, or else pay such fine as shall be reasonably imposed on you for omitting the same; and after his time is ended, in convenient time, upon request, shall make him free of this borough, if he shall truly serve you: you shall keep the king's peace in your own person, and be aiding to the constables and officers of this borough so to do against them that break the same: you shall know of no conspiracies against the king or his peace, but you shall to your power give notice to the mayor or some justice of the peace for the said borough thereof; and all the laws and customs of this borough you shall observe and keep, to the best of your skill and ability, according to the laws and customs thereof: So help you God."

1605.—The first return under the second charter, is that of *Robert Bowyer*, esq. in the room of sir Philip Keighlie, therein called Keightley, deceased. The indenture bears date 31st October, third of James I. and is made under the seals of the mayor, four aldermen, eleven capital burgesses, the chamberlain, and one assistant; severally named as such in the charter. So that the incorporated burgesses, practically misconstruing the latinity of both charters, must—judging from this and subsequent returns—effect-

ually have veiled the clauses confirmatory of the ancient suffrage from the non-corporate scrutiny of the burgesses of the town.

1609-10.—On the 26th of February, in the seventh of James I. *Edward Salter*, esq. was returned in the stead of Mr. Bowyer, the cause of whose retirement does not appear. The parties to this indenture are all named in the charter, excepting one, whom we find to have been mayor in 1616.

1620.—The next return is that of sir *Thomas Bigge*, bart. and *Anthonie Langstone* of Sedgeberrow, gent. to the third parliament of James the First; who after an interval of seven years, during which England had witnessed no meeting of its great council, required in his proclamation that the persons chosen should neither "be noted for superstitious blindness one way, nor for turbulent humours another, but such as should be found zealous and obedient children of their mother church."[540] The return is dated the 15th of December in the eighteenth of the king, and is signed by the mayor, recorder, and thirteen capital burgesses, under the common seal. It is worthy of remark, that both representatives on this occasion, voluntarily waived their claims upon the borough for the usual wages or allowance to which they were at the time entitled by reason of their parliamentary services.[541] Sir Thomas, now elected, was fourth son of sir Thomas Bigg, knight, who had been elected here in 1604: he was created a baronet on the 26th of May, 1620; and by him the estate of Norton and Lenchwick near Evesham was sold to the first lord Craven. He died in June 1621, and is interred in the north aisle of Norton church, beneath an altar-tomb surmounted with his effigy, and erected by his widow to his memory.

1621.—This year sir *Edward Conway*, knight, was returned in the place of sir Thomas Bigg, deceased. The indenture is dated

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[540] Vaughan's History of the House of Stuart, page 141.

[541] "Which said two burgesses soe chosen being now present in person doe of their own free [will] and disposition assent, promise, and agree to perform the said service for the said borough freely, att their owne chardge; and not to chardge or any way to burthen the said borough or any the inhabitants thereof with any allowance to be made to them or eyther of them, for or in respect of the same service; eyther by force of any statute giving or lymiting wages or allowance for such burgess, or by any other usages or means whatsoever."—*Corporation Book.*

12th November, 19th of James the First, and is signed by the mayor and five capital burgesses. But the local council appear to have arranged the affair some months preceding the issue of the writ: for in July of the same year, after appointing sir Edward Conway an alderman, upon the decease of sir Thomas Bigg, they promise that he shall also be elected a burgess of parliament in Sir Thomas's place; which election they undertake to perfect as soon as the writ should arrive.[542]

1623-4.—Sir *Edward Conway* and *Richard Cresheld*, esq. were this year elected. The return is dated 4th of February, in the 21st of James I.; and is not signed, but executed under common seal.

1625.—The next return is dated 27th April, in the first year of Charles the First, wherein Mr. *Cresheld* and *Anthonie Langston*, esq. are returned. This indenture is also unsigned, being executed only under common seal.

1625-6.—This year, upon summons to Charles's second parliament, sir *John Hare*, knight, and Mr. *Langstone* were returned. The indenture bears date 1st of February, first of Charles I. and is likewise executed under the common seal.

1627-8.—Sir *Robert Harely*, knight, and *Richard Cresheld*, esq. were returned, by indenture dated 27th of February, third of Charles the First, under the common seal.

1640.—The next return is dated 4th of April, in the sixteenth of Charles the First, wherein *William Sandys* and *William Morton*, esquires, are returned under the common seal.

1640.—The second return of this year is to "the long parliament;" the indenture being dated the 16th of October, in the sixteenth of Charles I; wherein *Richard Cresheld*, serjeant-at-law, and Mr. *Sandys*, are the representatives. The instrument is signed only by the mayor, under common seal; but twenty-four other persons are named in the body as parties to the return, who are styled "aldermen and burgesses of the borough." Fourteen of these were capital burgesses, or freemen on the books of the corporation; but as to the remainder, whether corporate burgesses or not, cannot at this distant period be ascertained.

From entries on the journals of the house of commons, we pre-

[542] Corporation Books, minute of 5th July 1621.

sume that Mr. *Coventry* was a third candidate at this election, and that he successfully petitioned against Mr. Sandys' return; though no express mention of such petition appears. For on November 9th, 1640, "the business concerning the election of Serjeant Creswell [Cresheld] and Mr. Coventry and Mr. Sandys, was referred to the committee for privileges." Upon this Mr. Sandys was declared "within the order made against monopolists, and not fit to sit as a member during this parliament."[543] Prior to this decision a member had drawn the attention of the house to a patent held by Mr. Sandys for levying an additional tax upon coals.[544] This seems to point to his tolls upon the Avon, which he partially rendered navigable, having been secured by patent instead of by act of parliament. Upon the following day Mr. Coventry's case was ordered to be heard; that if he were duly elected he might be admitted, and if otherwise, that then a new writ should be issued for the election of a burgess in Mr. Sandys' stead.[545] The procedure seems to have resulted in Mr. Coventry's admission. His name in company with Serjeant Cresheld's is given by Rushworth as those of the members for Evesham in the list read by the clerk of the crown at the opening of parliament; and not until five years afterward do we find a new writ ordered. This was made on the 12th of September 1645, and is "for the election of a burgess for the borough town of Evesham in Worcestershire, in the room and place of John Coventry, esquire, who is disabled by judgment of this house to sit as a member during this parliament."[546] Owing to the imperfect state of the journals at the period, and in the absence of any actual return, it does not appear whether any further election took place, or whether this borough was represented, during the remainder of this parliament, by Serjeant Cresheld alone.

Upon the notable dissolution of the long parliament by Cromwell, in April 1653,—and which that high-souled and daring ruler

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[543] Journals of the House of Commons, vol. ii. page 22.

[544] "It was moved in the house, that if any member did know any projector sitting there, that he should name him. Whereupon one member produced the docket of Mr. William Sandys his patent for raising 12*d.* upon the chaldron more than the old tax that was set upon the chaldron of coals."—*Rushworth*, iv. page 41.

[545] Rushworth's Collections, vol. iv. page 7.

[546] Journals of the House of Commons, 1645.

may be said literally to have effected by the stamp of his foot,—Evesham was not represented in the "nomination, or little parliament" that ensued. To this only one hundred and thirty-nine individuals were summoned, and that by name, from the counties of England and the city of London. Neither was Evesham included among those summoned to the select parliament of the Protector, convened by virtue of "the Instrument of Government," which met on the third of September, 1654, and was suddenly dissolved on the 22d of January following: as in the issue of the writs the smaller boroughs were omitted. Neither was Evesham summoned to the parliament convened on the 17th of September 1656, and dissolved by the Protector on the 4th of February 1657-8. Neither does it appear after Cromwell's death,—which took place on the 3d of September 1658,—that this borough was summoned to the parliament convened by Richard Cromwel, to meet on the 27th of January, 1659; which assembly, after appointing a council of state, and issuing writs for a new parliament, dissolved itself, according to Clarendon, on "March 16th or 17th," 1659.

1660.—The summons to this parliament, convened for 25th April following, is under the aforesaid council of state, by the style of "Keepers of the liberty of England by authority of parliament." In compliance with this summons, *John Egioake*, esq., and sir *Thomas Rouse*, bart. were elected for this borough. The summons is dated 17th of March 1659, and the return is made 4th of April 1660; that is, in the succeeding month: as the legal year then, and until altered by act of parliament in 1751, commenced on the 25th of March. The return is signed by the mayor under common seal; and is further signed and sealed by seven capital burgesses, two assistants, and two other individuals, of whom it is uncertain whether they were corporate burgesses or not. After this election, Theophilus Andrews, esq. he having been a third candidate, petitioned the house; which decided on the 12th July 1660, that Mr. Egioake and sir Thomas Rouse were both duly elected, and ought to sit.[547] Mr. Egioake appears to have been of the ancient family of Eggeoke of Interborough or Inkberrow; in this county; whose arms were *two mullets in chief and a fleur-de-lis in base*—

[547] Journals of the House of Commons, vol. viii. page 37.

colors not preserved. The family of Rouse was of Rouse Lench near this town. Their arms are *sable two bars engrailed argent;* and they claim descent from William Rufus,—called William Rouse by William of Newburgh. The present representative of this family is sir William Edward Rouse Boughton, bart.

1662.—The first return for this borough after the Restoration, is dated 11th April, 13th Charles II. when *William Sandys* and *Abraham Cullen,* esquires, were elected. This indenture is signed by the mayor under common seal; and is also signed by nineteen capital burgesses, Mr. Egioake, who, as recently a representative, was most probably a burgess of the corporation, two other corporate burgesses, and one individual, whose description cannot at this time be clearly ascertained.

1669.—The next return is occasioned by the decease of Mr. Cullen, then sir Abraham Cullen, bart., when *John Hanmer,* esq. was elected. The indenture bears date 29th October, 21st Charles II; is signed by the mayor under the common seal, and likewise by eight aldermen and capital burgesses; two other individuals who were assistants in 1660 and '65, and who, as appears from the ensuing petition, were afterwards capital burgesses. Sir James Rushout, who now first appears connected with this borough,—created a baronet in 1661, and then of Milnst-Maylers in Essex,[548] —was the second candidate at this election. Being unsuccessful, he petitioned against the return, 3d November, 1669: upon which the committee of elections on the 22d of November reported, that the questions arising on such petitions were—1. Whether the mayor, aldermen, and capital burgesses only, or the burgesses at large, had the right of election? 2. Whether the election was good, or void? and 3. Who had the majority of voices? And they were of opinion, that the common burgesses had voices in the election; and that the election by the mayor, aldermen, and chief burgesses was not good: that the election was not void; and that sir James Rushout had the majority of voices and was duly elected. On this report the house resolved to agree with the committee upon the first and second questions; but on the third question they resolved, contrary to the opinion of the committee, that the election was void,

[548] Dugdale's Baronetage.

on account of the denial of the poll. Upon this the house further resolved that Edward Field, the mayor, should be taken into the custody of the serjeant-at-arms, "for his misdemeanour in making the return for the borough of Evesham, and denying the poll."[549] He was consequently reprimanded by the speaker; and, in anticipation of more correct behaviour in future, was then ordered to be discharged. By this decision the elective right was confirmed to the burgesses of the borough, distinguished from those who had become burgesses of the corporation. This right we have already shown to be anterior to the Stuart charters.

1669.—In pursuance of the decision of the house of commons, another single election took place within the year, to supply the vacancy occasioned by the death of sir Abraham Cullen; when sir *John Hanmer*, knight was finally elected. The indenture is executed under common seal, and bears date the 7th December, twenty-first of Charles the Second. Forty-two persons styled "burgesses," beside "many other burgesses," are stated as parties, together with the mayor. Mr. Field, who was still returning officer, seems at this election to have extended the franchise even beyond its ancient limits; as though he would thus avoid a second reprimand, by complying most fully, as he conceived, with the late decision of the house of commons. Thus all who claimed the privilege were readily admitted to the poll; and burgesses—as well common as corporate—freeholders, and mere payers of scot and lot—polled at this election and appear as parties in the return. The two latter rights are first met with by actual statement in the return of 1741.

1670.—The second return after this unwonted enlargement of popular election, is dated 22d February, 22d Charles II.; when sir *James Rushout* was returned, upon the decease of Mr. Sandys.

1679.—This year, upon the 4th of February, the 31st of Charles II. sir *James Rushout*, and *Henry Parker*, esq. the recorder of the borough, were returned.

1680.—On the 16th of August in the thirty-first of Charles the Second, sir *James Rushout* and Mr. *Parker* were again returned.

1681.—The next return bears date 17th February, 33d Charles II. when sir *James Rushout* and *Edward Rudge*, esq. were re-

[549] Journals of the House of Commons, vol. ix. page 110.

turned. The latter gentleman was an alderman and merchant of London, who became connected with this borough as purchaser of the abbey site and other lands, in the year 1664.

We now for a season bid adieu to the almost unrestricted exercise of suffrage, and enter upon that period when Charles the Second, in unison with the Stuart policy, attempted to destroy that "common right," which as we have before observed, it is beyond the force of any charter even to alter, much less to circumscribe. For, as is urged by Glanville, a charter, although it may incorporate a town which was not incorporate before, "or may alter the name or form of the corporation there in matters concerning only themselves and their own government, rights and privileges, yet it cannot alter and abridge the general freedom and form of elections for burgesses to the parliament, wherein as aforesaid the common wealth is interested. For then, by the like reason that it might be brought from the whole community or from all the burgesses of a town, to a bailiff and twelve, so might it be brought to a bailiff and one or two burgesses, or to the bailiff alone; which is against the general liberty of the realm."[550]

1685.—The first and only return made under this close charter of Charles II. is dated 17th of March, in the first year of James the Second; when *Henry Parker*, esq. and sir *John Matthews*, knight, were elected by the mayor, aldermen, and capital burgesses only. The indenture is signed by the mayor under the common seal, and also by fifteen capital burgesses.

Under the second close charter inflicted on this borough—namely that of James the Second, dated 12th September, 1688,—neither time nor circumstances either permitted or required any parliamentary return. Indeed, the very acceptance of the grant is of itself sufficiently doubtful: as although several entries on the corporation books prove the acceptance of Charles's charter, no entry whatever occurs relating to this from James the Second. Be that however as it may, both these fraternal charters were equally and entirely abrogated at the Revolution.

1688.—The first return after James's abdication,—which occurred on the 11th of December in this year,—was under the "circu-

[550] Glanville, vi. *Chippenham Case.*

lar" of William Prince of Orange; addressed by him, with the advice of lords and commoners, to all the English counties and corporations, desiring them to return members for a "convention" appointed to assemble on the 22d January, 1688-9. The return from Evesham under this summons, is addressed to "The high and mighty prince William-Henry Prince of Orange," and bears date the 9th of January, 1688; On this occasion Mr. *Parker* and sir *John Matthews* were again returned; but with a material distinction in the present mode of their election over that of the last. For instead of mere nomination by a chamber,—the indenture of their return is at present crowded with the signatures of grateful freeholders, paymasters, and burgesses at large—all eager again to exercise that privilege which two successive monarchs had for a season set aside. The total number of signatures, which seems to include every class, is forty-three, over and above the signature of the mayor.

1690.—The first return after the restitution of constitutional monarchy in the person of William the Third, is by indenture bearing date 27th February, in the second of William and Mary; when sir *James Rushout* and *Edward Rudge*, esq. were returned. This indenture has no signature attached, being executed under the common seal alone; but in the body of the deed we find, by name, the mayor, five capital burgesses, twenty-two common corporate burgesses, and the addition, "with many others, burgesses of the same borough." [551]

1695.—The next return is dated 2d November, seventh of William III. and is signed by the mayor under the common seal, as also by twenty-two other individuals with seals annexed, whose names recur in the body of the deed, preceding the introduction of the former sentence, "with many others, burgesses of the same borough." At this election sir *James Rushout* and *Henry Parker*, esq. were returned. Sir Rushout Cullen, a third but unsuccessful candidate, afterward petitioned against Mr. Parker's return, but, as appears from the journals of the House of Commons he did not proceed.

1698.—This year, in consequence of the decease of sir James

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[551] "Cum multis aliis burgens, ejusdem burgi."

Rushout, *John Rudge*, esq. was, by indenture dated 11th March, tenth of William III. returned in his stead. This return is signed by the mayor under common seal, with the respective seals and signatures of twenty-four other persons. At this election Colonel Windsor, a relative of lord Windsor, was an unsuccessful candidate.

1699.—The next return is dated 29th July, tenth of William III.; when Mr. Parker, now sir *Henry Parker*, baronet, and Mr. *Rudge*, the former members, were again returned: Colonel Windsor being an unsuccessful candidate a second time.

1700.—This year sir *Henry Parker* and Mr. *Rudge*, the former members, appear to have been elected a third time. But in the indenture itself, dated 16th January, twelfth of William III. time has occasioned a blank; the name of the first member has fled, leaving only the appendage of "baronet" as an indication.

1701.—On the 26th November, in the thirteenth of William III. sir *James Rushout*, baronet, and *Hugh Parker*, esq. were returned.

1703.—Mr. *Parker* and *John Rudge*, esq. were returned on the 22d July, to the first parliament of Anne.

1706.—This year, on the 15th May, in the fourth of Anne, Mr. *Parker* and Mr. *Rudge* were again returned.

1709.—Mr. *Rudge*, the former member, and sir *Edward Goodere*, baronet, were returned on the 11th of May, in the seventh of Anne. A third candidate at this election was John Deacle, esq. apparently the founder of Bengeworth school. If so, he did not attain this additional elevation in his laudable career, which he perhaps regarded as the summit of his wishes. Sir Edward Goodere, now first returned here, was of Burghope in Herefordshire, and of Charlton in the parish of Cropthorne near Evesham, he having married Eleanor heiress of the Dineley estate in the latter parish.

1711.—Sir *Edward Goodere* and Mr. *Rudge* were, on the 14th October, in the ninth of Anne, returned a second time.

1714.—Sir *E. Goodere* and Mr. *Rudge* were, on the 31st August, in the twelfth of Anne, elected together a third time.

1714-15.—This year, 26th January, the first of George I. Mr. *Rudge* and *John Deacle*, esq. were returned. The latter gentleman was nephew to the founder of Bengeworth school, and was appointed sole executor in his uncle's will. Sir Edward Goodere who contested this election was now the unsuccessful candidate.

1721-2.—Sir *John Rushout*, baronet, and Mr. *Rudge* were returned together, on the 24th of March, eighth of George I. Mr. Deacle, the late representative, was now the unsuccessful candidate.

1727.—Sir *John Rushout* and Mr. *Rudge* were re-elected, 22d August, first of George II. William Taylor, esq. was the unsuccessful candidate.

1734.—Sir *John Rushout* and *William Taylor*, esq. were returned, 30th April, seventh George II. The latter gentleman, who succeeded against Mr. Rudge, was a barrister residing at Littleton in this neighbourhood, and was also recorder of the borough.

1741.—This year, sir *John Rushout*, baronet, and *Edward Rudge*, of Wheatfield, Oxon, esq. were returned on the 7th of May, fourteenth of George the Second. This is the first return in which the word "freeholder" occurs; it being here inserted opposite the names of two electors.

1741-2.—On the 24th of February, fifteenth of George II. sir *John Rushout* was re-elected, after acceptance of office under the crown.

1743.—On the 28th December, seventeenth George II. sir *John Rushout* was again elected, on accepting office under government a second time.

1747.—The Right Honorable sir *John Rushout*, baronet, now a privy councillor, and *Edward Rudge*, esq. the former representatives, were returned together a second time. The date is July 1st, in the twenty-first of George the Second.

1754.—On the 15th of April, twenty-seventh George II. sir *John Rushout* and *John Porter*, esq. were elected; Mr. Rudge being unsuccessful. In this return the three distinctions of "freeman," "freeholder," and "paymaster," appear together for the first time.

1761.—Toward the close of this year, after the accession of George III. sir *John Rushout* and *John Rushout*, esq. his son and heir were returned together; but not without opposition: for this formidable demonstration from the Rushout interest induced two of the inhabitants to present themselves as candidates before their fellow-townsmen. These were Thomas Cookes, esq. and William Baylies, M.D. The latter, in November following, petitioned against the return; alleging that sir John and himself had received the majority of voices, and ought to have been returned. The petition

was then ordered to be heard on the 15th of December; but prior to that day the house allowed it to be withdrawn, together with another petition from certain burgesses of the borough.

Sir John Rushout is about this time alluded to by Horace Walpole as 'the father of the house of commons.'[552] Mr. Cookes was a wealthy and influential attorney in the place, and nephew of sir William Cookes, bart. Dr. Baylies was the son of an apothecary of the town, and chiefly by marriage with Mr. Cookes' daughter he became possessed of much property in the borough. Among this was the spacious residence in High-street, with garden and land adjoining, at present held by the Lavender family; another spacious dwelling-house with garden in Bridge-street, late the property of Mr. Phelps; the tan-yard and buildings near the bridge, and the wharf and premises opposite, upon the Bengeworth side. Becoming at length involved in difficulties, he raised large sums partly by mortgage and partly by illegal means, and thus escaped to the continent. His real property was then offered for sale, under a conveyance in trust, obtained from him while at Bristol. The purchasers' deposits were received, and immediate possession was given; but from the involved condition of the estate the title could not be completed. The purchasers thus retained possession by payment of the deposits only; excepting the property in Bengeworth, the title to which was completed by the holder following the doctor into France for that purpose. After this Dr. Baylies settled as a physician at Dresden, where his skill induced Frederick the Great to send for him in 1774 to reside at Berlin.[553] In 1779 we find him in that city, physician and privy councillor to the king; and he is understood to have died in Prussia, generally respected.[554]

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[552] "Sir John Rushout, the oldest member of the house."—*Letter to Hon. H. S. Conway*, Oct. 18, 1766: in *Walpole's Private Correspondence*, vol. iii. page 195.

[553] "The dread he [Frederick] has that any about him should perceive him breaking, overcomes every other consideration, and he increases his illness by the pains he takes to conceal it. He has, under pretence of introducing inoculation, invited Baylis, an English physician settled at Dresden, to reside for some time at Berlin. He is expected to-morrow, [November 13] and I have the best reason for believing that at this present moment his Prussian Majesty is consulting him at Potzdam in the most private manner."—*Correspondence of Earl Malmesbury*, i. 116.

[554] In a rare portrait engraved by Berger in 1783, he is styled "Conseiller privé

1768.—*John Rushout*, esq. one of the former representatives, and *George Durant*, esq. of Tong Castle, Salop, were returned.

1774.—Mr. Rushout, now sir *John Rushout*, bart. and *Henry Seymour*, esq. were returned. The latter gentleman was grandson of sir Edward Seymour of Maiden Bradley, Wilts, who purchased the estate of Norton and Lenchwick from the Cravens. Mr. Seymour's uncle, sir Edward's eldest son, was afterward duke of Somerset.[555]

1780.—Sir *John Rushout* and *Charles William Boughton Rouse*, esq. were returned together; Edward Rudge, esq. being unsuccessful.

1784.—Sir *John Rushout* and *Charles William Boughton Rouse*, esq. were again returned, and the latter was appointed secretary to the Board of Control. Mr. Rouse's paternal name was Boughton, and he embarked early in life for India, where he spent many years. In 1768 he succeeded to the estate of Rouse Lench near Evesham, and then took the name of Rouse. In 1791 he was created a baronet, but on succeeding to a more ancient family baronetage he resumed his original surname. In 1796 he was chosen member for Bramber, but resigned his seat on being appointed a commissioner for conducting the public accounts, in which situation he died. Sir Charles once appeared as an author, and published "Substance of an Address to a Parochial Meeting, held at Chiswick, to consider of the propriety of a Voluntary Contribution for the Defence of the Country." [556]

1790.—Sir *John Rushout* and *Thomas Thompson*, esq. were returned in June, 30th of George III. Francis Sullivan, esq. as third candidate, stood on this occasion in the same interest with sir John, but was opposed on the canvass by sir Francis Ford, bart; upon whose retirement, Mr. Thompson offered himself and was returned. The poll at this election was protracted throughout eleven days.[557]

Mr. Thompson was the natural son of Levi, a Jew, well known in the city and upon 'change. He had been well educated, possessed a

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et Medecin du Roi de Prusse, et Membre des Colleges Royaux de Medecine de Londres et d' Edinbourg."

[555] Nash's Worcestershire, ii. page 195. [556] Monthly Magazine, April 1821.

[557] Poll.—This ancient term refers us to the simple method of election in ancient times. When, in case a prior declaration by uplifted hands was deemed indecisive—a motion was made, in due time, to try by numbering *the polls* of the electors who had the majority.—*Usage in Southwark Case*—Glanville, ii.

sprightly genius, and his taste in the arts was refined. The munificence of his parent had been princely; but play was one of the modes in which he impaired his fortune: until ultimately nothing could induce him to touch either a card or a die.[558]

1796—thirty-seventh of George III.—In the month of June, Mr. *Thompson* and *Charles Thelluson*, esq. were elected: the former successfully opposing sir John Rushout, who was shortly after created a peer, by the title of Baron Northwick.

Mr. Thelluson was the son of an eminent French merchant, who after being a partner in the banking-house of M. Neckar, emigrated to this country, and was thus entrusted by several of his countrymen with large sums to be invested in England. But by the sudden execution of many of the owners, much of this property continued in his hands unclaimed.

1802.—*Charles Thelluson*, esq. and *Patrick Crawford Bruce*, esq. were this year elected. The latter gentleman was a London merchant, had also been engaged in India, and was father to the Mr. Bruce who in conjunction with sir Robert Wilson aided in the escape of Lavalette, upon the restoration of the Bourbon dynasty.

At this election Humphrey Howorth, esq. was an unsuccessful candidate; and on the 1st December petitioned against the return, alleging bribery. A committee was accordingly ballotted for, on the 19th May following: but prior to its sitting a private compromise took place, in consequence of which the petition was on the next day pronounced "not frivolous," and the election of both members was confirmed. During this election, voters who claimed that right merely on account of freeholds, were for the first time since James the Second's abdication, rejected by the returning-officer, though sixty-four individuals thus tendered on the poll; which after a continuance of five days, was ultimately calculated upon the votes of freemen and paymasters only. This rejection was determined on in consequence of objections made on the part of Mr. Howorth. It being insisted that freeholders could not possess the franchise under the last and therefore final decision of the house; by which the "common burgesses" were declared to possess the right of election; because in that capacity the former could

[558] Warner's Literary Recollections, vol. ii, page 145.

not be qualified to take the burgesses' oath insisted upon by the governing charter.

1806.—In November of this year, 47th of George III., *William Manning*, esq. and Mr. *Howorth* were returned without opposition. The former gentleman was a West India merchant, an agent for one of the West India Islands, and a director of the Bank of England. Mr. Howorth had for some years been occupied as a physician in India: a portrait of him, engraved by Mr. John Suffield, was printed for presentation in 1808.

1807—forty-eighth of George III.—At this election, the candidates were Mr. Manning, Mr. Howorth, and sir Masseh Manasseh Lopez, bart. After a poll continued from the 7th of May to the 13th inclusive, Mr. *Manning* and sir M. M. Lopez were returned. Though the former gentleman, with Mr. *Howorth*, were ultimately declared the sitting members, by the house of commons.

On this occasion the returning officer, contrary to precedent at the former contest, admitted one hundred and twenty-two freeholders to the poll. This measure was opposed on the part of Mr. Howorth, who declined to receive such votes himself. By this means sir Masseh obtained an apparent majority of fourteen votes. Mr. Howorth then petitioned against sir Masseh's return; alleging acts of bribery and treating, and the procuring of many persons to poll who had no legal votes. The petition came on before a committee of the house, 12th February, 1808; when that body, without going into the other allegations, struck off—in accordance with the last decision of the house,—all the freeholders polled for sir Masseh; declaring that he was not duly elected, and ought not to have been returned; but that Mr. Howorth *was* duly elected, and ought to have been returned. The bribery charges were consequently withdrawn, and Mr. Howorth took his seat as the colleague of Mr. Manning. During this parliament Mr. Howorth's independent conduct was so highly admired by his constituents, that they presented him with a handsome piece of plate, as a token of their gratitude and esteem.

1812.—In October of this year Mr. *Manning* and Mr. *Howorth* were re-elected without opposition.

1818—fifty-eighth of George III.—The candidates at this election were Mr. Howorth, sir Charles Cockerell, baronet—brother-in-law

to Lord Northwick—and William Edward Rouse Boughton, esq. son and heir-apparent of sir Charles William Rouse Boughton, baronet, a former representative. The election commenced on the 19th of June, and terminated on the 2d of July : the poll continuing open during twelve days ! Fourteen days being then the full extent allowed by act of parliament for the duration of a poll in borough elections. Throughout this period the town was kept in the most violent state of excitement and party-feud. Every means being employed that were considered fair at elections—which covered indeed a mass of offences—to abuse and harass not merely public interests, but private individuals.

Freeholders were not at this election presented at the poll ; nor have they been so tendered since the decision in 1808. There were, however, three several classes of voters, whose rights had hitherto been practically regarded as unaffected by either decision of the house. These were, *first*, Burgesses actually admitted freemen of the corporation here ; who thus once enrolled among that number, retained, in whatever town or kingdom they resided, the right to appear on the hustings in this borough, to vote for the candidates they pleased : *secondly*, Persons evidencing at the poll an inchoate right to the same freedom : and *thirdly*, Payers of scot and lot ; being those who during six months prior to any election had paid local rates, even of the most trivial sum.[559] From these collective classes Mr. Howorth had 410 votes, Mr. Boughton 359, and sir Charles 341 : upon which Mr. Howorth and Mr. Boughton were returned. But on the 22d of January following, sir Charles petitioned against Mr. Boughton's return ; alleging bribery and treating ; with the introduction of persons to poll who had not legal votes, by which, it was asserted, that a colorable majority had been obtained. There was also a freemen's petition echoing this statement. A committee for the consideration of both petitions, commenced its sittings on the 12th of February, when each party, in compliance with the statute, delivered in his objections to votes given for the opposite. No objection was made on Mr. Boughton's part, to such individuals

[559] Of this class some returning officers had admitted to the poll only resident householders rated, while others admitted residents and non-residents, whether rated for land or buildings, and whether the last were habitable or not.

as had polled as paymasters for his opponent; but in sir Charles's list that class of voters *was* included. By this the advisers of sir Charles secured for him the votes obtained by himself from that very class against which, as polled for Mr. Boughton, he had objected. This proved to be the result. Because the ultimate decision of a committee could only reach such votes on either side as had been expressly objected to by the opposing party. But Mr. Boughton having rendered no such objection against sir Charles's paymasters, their votes for him must at all events remain; but the committee having decided against the paymasters' right, Mr. Boughton thus lost every vote that had been polled for him in this capacity. But where voters had divided for sir Charles *and* Mr. Boughton, these were struck off on both sides; the committee observing that they could not divide a vote. The committee further decided—That the right of election was in the mayor, aldermen, capital and other burgesses, members of the corporation: That the right of election was not in the mayor, aldermen and freemen *and* the inhabitants paying scot and lot: That Mr. Boughton was not duly elected: That sir Charles Cockerell was; and that he ought to have been returned.[560] The committee having sat till the 23d of February—ten days inclusive—the deputy-clerk of the crown attended the house on the 24th, and amended the return according to the decision. Upon this sir *Charles Cockerell* took his seat, as co-representative with Mr. *Howorth*.[561]

By this decision the elective franchise was withdrawn from the ancient class of burgesses recognized by the charter, and declared to be vested in the corporate burgesses alone. A conclusion which the committee could not do otherwise than form; because no evidence of any return prior to the charter having been adduced on Sir William's part,—all search at this time failing to discover the

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[560] Mr. Boughton's majority at the poll had been caused by votes from paymasters; of which he had 158. But sir Charles exceeded upon votes from admitted freemen, 55; and after adding on each side votes for inchoate right, sir Charles still exceeded Mr. Boughton by 33; added to which, his 107 votes from paymasters were also secured. But had the scrutiny proceeded, which was cut short in consequence of sir Charles's paymasters being secured, it is doubtful whether the majority upon freemen would have been retained.

[561] For the proceedings and evidence given on this petition, with an Appendix of material documents, see the Report, edited by Mr. Cheek, 8*vo. Evesham*, 1819.

return of 1295, the borough was of necessity viewed as *new;* the term "burgess" being consequently restricted to those of the modern corporation. The amount of money expended upon this desperate contest, from its commencement to the close of the subsequent petition, was, upon the most moderate estimate, twenty thousand pounds! Of this amount, the expenses for cramming and swilling electors must of itself have formed a weighty item in the sum.

1820, March.—Sir *Charles Cockerell* and Mr. *Boughton* being the only candidates at this election, were now quietly returned to the first parliament of George IV.

1826, seventh of George IV.—The members now returned were sir *Charles Cockerell* and *Edward Protheroe,* of Bristol, esq. son of a merchant of that city who had also represented it in parliament: Mr. Boughton, the late representative—now sir William Edward Rouse Boughton, bart.—having declined to offer again. On the previous canvass, sir Roger Gresley, bart. came forward against Mr. Protheroe, but retired before the election took place. Upon this Patrick Grant, esq. afterward editor of the *True Sun* paper, stood the poll. The election began on the 13th of June, and terminated on the 16th. Persons claiming for inchoate rights were—consistently with known determinations in other cases—now for the first time not admitted here to poll; the corporate body sitting daily to admit such individuals to the freedom claimed. The electors being thus restricted to burgesses of the corporation, sir Charles had 235 votes, Mr. Protheroe 137, and Mr. Grant 87. Of these the number from electors residing in the borough was 144, and from electors resident elsewhere 153. By adding to these 14 resident and about 125 non-resident electors who did not vote, we arrive at the conclusion that in 1826, the resident electors for the borough were only 158, while the number of out-town voters for the borough, scattered through the length and breadth of the land, exceeded 270!

1830.—This election commenced on the 2d of August, and continued till the 4th; when sir *Charles Cockerell* and *Archibald* lord *Kennedy,* heir-apparent of the earl of Cassilis, were returned to the first parliament of William IV. Mr. Harris, an eminent hat-manufacturer in Southwark, announced himself during the previous canvass, but retired: upon which Alexander Raphael, esq. of Lon-

don stood the poll. At the close, sir Charles had 231 votes, lord Kennedy 148, and Mr. Raphael 110. The total number of electors polled, was 301; and of these 107 were inhabitants, and 159 were not resident in the place.

This was the first election for Evesham witnessed by ourselves. Strange indeed to us was the procedure. Resident agents in rival interests rushed out of town, each bent in search—not, like Diogenes, of an honest man,—but of any one who would in connection with a given party poll, or avow that he would poll, "to the very last man." Each candidate, when thus secured, first sought the voices of the London voters—always an important number,—apologizing to the inhabitants meanwhile by handbills, which intimated his personal arrival to pay his respects to them, when all his London promises were secured. Then came the candidate's entrée, the mustering of select adherents, the canvass in form. After this followed the issue of the writ, the opening of the poll, and the disturbance of the quiet street by rival strains of martial music and perambulating bullies glittering in ribands and cockades. And now strange forms and faces, rarely seen, but warmly greeted as though well-known, pour in upon us by stages, omnibuses, and post-chaises, and throng the town. Inns and places of refreshment open spontaneously at the approach of the welcome visitors; they feast upon the best, appear when wanted at the poll, remain perhaps to witness the result, and receive in person a liberal remuneration for their expenses and loss of time. All this takes place, moreover, without either candidate being presumed to know or feel that any portion of this profuse expenditure is actually furnished by himself.

A petition from certain freemen, dated 4th November, 1830, was presented to the house of commons against this return. In this the conduct of the mayor in his closing the poll was called in question, and allegations were made against both the sitting members for bribery and treating. Of course no other candidate *could* be presumed to have done the like, except the two returned! On the 3d of December, 1830, the petition came before a committee; who being of opinion that the election was not void on account of the conduct of the returning-officer,—the petitioners went into the remaining allegations. Upon these the committee declared on the 13th December, That sir Charles Cockerell was not duly elected;

That Lord Kennedy was not duly elected; and, That this election was void: It appearing to this committee—as stated in the report—That both the sitting members had been guilty by their agents, of the acts alleged against them in the petition.

Immediately upon this decision, Charles Rushout Cockerell, esq., then absent on the continent, was proposed as a candidate in his father's room. Lieutenant-colonel Maberley, then stationed in Ireland, at the same time addressed the electors, and through his father took a general canvass. The writ for a new election was, however, stayed by motions originating with lord Chandos, heir-apparent of the duke of Buckingham, who had in view the ultimate disfranchisement of the borough. During this detention a petition was presented to parliament from 255 inhabitant-householders of the borough "having no voice in the election of its representatives," praying to be re-admitted to their ancient franchise. The Colonel in the interim took his seat for Shaftesbury, and Evesham remained unrepresented upwards of four months. The purpose of Lord Chandos was ultimately set aside by the introduction of the First Reform Bill, introduced by Lord John Russell on the 1st of March 1831. In this, Evesham, on account of a deficiency in population was destined to return one member only; being consigned to schedule B. That bill having been lost in committee on April 19th, parliament was dissolved on the 21st, and a new one was summoned to assemble for June 14th. In this manner the borough resumed the exercise of its ancient parliamentary right.

1831, second of William IV.—Sir *Charles Cockerell* and *Thomas Hudson*, esq. of London, a merchant largely connected with the Portuguese trade, were returned to this—which for distinction's sake, may be styled—the Reforming Parliament. A fruitless opposition was maintained at this election under cover of Lord Kennedy's name; who neither appeared at the poll nor throughout the canvass. Indeed, in a circular issued 26th April, by one of his adherents, it was declared that his lordship had 'withdrawn himself and declined the representation.' This intimation was however practically disregarded by his lordship's supporters. They exerted themselves unremittingly; bringing up the out-votes as long as their means allowed: but when these were exhausted, the distant voters, who would otherwise have polled with them, perceiving

from the lack of funds no other method of visiting their friends scot-free, for the last time, at length entered the vehicles provided by Mr. Hudson's partizans; and thus, under the able generalship of a certain watch-maker well known as "the captain of the London voters," they were promptly exhibited at the poll. Their appearance there, in full prospect of the second Reform Bill, gave rise to some facetious observations from the visiting electors themselves as to this being the last occasion upon which they would be permitted thus to appear. The poll was in this manner protracted from Saturday the 30th of April, to Friday the 6th of May. At the close, Sir Charles had 208 votes; Mr. Hudson 157; and Lord Kennedy, in spite of every obstacle, 136. The total number of freemen polled, was 322. Of these, the residents were 126, and the non-residents 196. Of the resident class, thirty individuals polled plumpers for Mr. Hudson, twenty-three for Sir Charles, and four for his lordship.

The ministerial measure of reform becomes now so interwoven with our local parliamentary history, that it is necessary again to recur to it. The former bill, slightly modified, was brought before the new parliament shortly after it assembled. It was passed by the commons, but was at its second reading thrown out by the lords, on the 8th of October, 1831. Parliament was consequently prorogued: and on the 12th of December a second Reform Bill, differing seriously from the first, was now brought in. This was passed by the commons, on March 22d, 1832; and was finally acceded to by the lords on the 4th of June. The boroughs' boundary bill passed also at the same time. By these bills, thus constituted parliamentary acts, this borough was rescued from the dismembering schedule; property instead of population being the criterion in the new measure. The boundaries of the borough, as defined by the charter, were also continued. From the returns made from hence to a preceding inquiry, this borough then contained 847 houses, of which 293 were valued at an annual rent of £10 and upwards: the population was 3998: the number of electors, including non-resident freemen, was 427: and the amount of assessed taxes paid yearly, £1236.[562] The state of the constituency was

[562] This amount was the largest, excepting two, in the class of 110 boroughs among which Evesham was scheduled.

of course now materially altered. The franchise instead of being arbitrarily distributed among distant individuals, was henceforth restricted to freemen of the corporation residing within seven miles of the borough; the right being at the same time equally exercised by householders of £10 annual rental. The first Register of Electors, revised under the statute in November 1832, numbered 359. Of these, 164 were freemen,—including about fifty also eligible from property—and the remaining 195 were registered for property alone.[563] In the Register for 1844 the total number of voters is 340; of whom 117 are freemen; and of the latter 48 are additionally qualified by property.

It having been enacted by the Reform Act that the House of Commons should thenceforth be chosen on a more liberal scale, the *last* parliament elected upon the previous system was dissolved in December 1832; and a new and reformed assembly was summoned to represent the people:—

1832, third of William IV.—At this election sir *Charles Cockerell* and Mr. *Hudson* were again returned. This was mainly occasioned by their popularity as supporters of both reform bills in their passage through the house. But, especially, as having both expressed their undiminished confidence in earl Grey's administration, on the memorable motion of lord Ebrington, carried in the unreformed parliament, on the 9th of May, by a majority of 228. Prior to the election, sir John Beckett, bart. addressed the electors, but neither canvassed nor appeared. Edward Rudge, of Evesham, esq. also proposed himself, but retired before the nomination took place. Then followed Walker Skirrow, esq. barrister-at-law; who, after the issue of an admirable address, perceiving the ground to be pre-occupied, also withdrew. Upon this Mr. Peter Borthwick, formerly a trader in Dalkeith, but then of Claverton Park, near Bath, was suddenly introduced, and appeared at the poll. The polling commenced on Monday December 10, and closed according to the act in the afternoon of the following day. The numbers were, for sir Charles Cockerell 234, for Mr. Hudson 212, and for

[563] A seeming discrepancy here in the number of £10 householders, as compared with the previous Report, is removed by the addition of certain freemen qualified also by property, but registered only in their freeman's right. An allowance should also be made for a few tenements occupied by females; and we thus verify the former list.

Mr. Borthwick 126. But, upon the *new* constituency alone, the majority for Mr. Hudson was 14 above sir Charles, and 73 over Mr. Borthwick: and sir Charles, upon the same constituency, exceeded Mr. Borthwick by a majority of 59.

1835, January—sixth of William IV.—At this election, occasioned by the sudden defeat of lord Melbourne's administration in November 1834, sir Charles Cockerell and Mr. Hudson, the former representatives, were again opposed by Mr. Borthwick, who completed his personal canvass almost before Mr. Hudson appeared. This advantage, together with something of personal unpopularity on the part of the latter, rendered it a very close canvass; insomuch that upon the eve of the nomination Mr. Hudson refused to stand. An express was then dispatched to Edward Rudge, esq. in London, requesting him to come forward; and in the interim that gentleman was nominated upon the hustings, when a poll was demanded on his behalf and fixed for January 6, the following day. In the mean time Mr. Rudge declined the proposal; so that sir *Charles Cockerell* and Mr. *Borthwick* were returned without taking a poll.

During the nomination, some observations were made respecting Mr. Borthwick's previous career by one of the electors; the substance of which formed afterward the grounds of an action for libel against the proprietors of the *Bath Guardian* newspaper. This, after a postponement by the plaintiff, was tried at Taunton, in April 1836, before a special jury, who found five counts in favor of the defendants, and three counts for the plaintiff. Damages were accordingly given against the defendants in £100.[564]

1837, seventh of William IV.—This election was occasioned by the decease of sir Charles Cockerell, who closed an active life in January 1837, at the advanced age of 82. Sir Charles was ninth and youngest child of John Cockerell, esq. of Bishop's Hull, Somerset. He commenced his career in life in 1776, in the surveyor's office at Bengal; was appointed postmaster-general in India in 1804, and finally returned to England in 1806. He was afterward largely concerned in business as an Indian agent, banker, and merchant; and during the administration of earl Grey became an

[564] See Report of the Trial in the *Bath Guardian* newspaper of 16th April 1836, and in the daily papers of April 12.

honorary member of the India Board of Control. He sat as member for Tregony from 1802 to 1806; was created baronet by patent in 1809; and after his first return for Evesham, in 1820, was re-chosen at every subsequent election here. Sir Charles may be regarded in his parliamentary character as an uniform adherent of government. His political conduct was unvaryingly identified with the tory party, until the whigs were introduced to office, in 1831. From that time he continued to vote with that side of the house till his decease. A portrait of sir Charles was engraved by Mr. John Suffield, of London, and printed for presentation in 1818.

February 4th.—The candidates to supply the vacancy occasioned by sir Charles's decease, were the hon. George Rushout Bowles, nephew of lord Northwick, and lord Arthur Marcus Cecil Hill, brother of the marquis of Downshire. The poll commenced on Saturday February 4th, at 8 A. M. and closed at four in the afternoon, according to the recent act. Mr. Bowles was then declared returned by a majority of 25 votes. The polling took place, for the first time here, in booths erected in High-street; and at the close, the numbers were for Mr. Bowles 165, and for Lord Marcus 140.

1837, July 25th.—The candidates to the first parliament of Queen Victoria were—the hon. George Rushout, returned at the last election as George Rushout Bowles; Mr. Borthwick; and Lord Marcus Hill. After a very sharp contest the former members were declared re-elected. The votes given for Mr. Rushout were 168, of which 2 were plumpers; for Mr. Borthwick 166, of which 3 were plumpers; and for Lord Marcus 156, of which 119 were plumpers. But in November following a petition was presented against the return of both members, on the ground of personal bribery; praying also for a scrutiny, and objecting to Mr. Borthwick, as being not legally qualified. A committee was accordingly ballotted for on the 8th of March, 1838. But proceedings against Mr. Rushout having been early withdrawn, the investigation was confined to the charges against Mr. Borthwick; as also to a scrutiny of the votes, which terminated in giving Lord Marcus Hill a majority of one over Mr. Borthwick, On the 20th March the committee reported to the House—That George Rushout, esq. was duly elected: That Peter Borthwick, esq. was not duly elected: That Arthur Marcus Cecil Hill, commonly called Lord Marcus Hill, was duly elected,

and ought to have been returned: That neither the petition nor the defence were frivolous or vexatious: That the committee had altered the poll by striking off the votes of certain persons at the last election: and, That Peter Borthwick, esquire, was guilty of bribery at such election. The major charge being thus substantiated against Mr. Borthwick, the question of his qualification was not entered into. Upon this decision, Mr. *Rushout* and Lord *Marcus Hill* became the sitting members.

1841, sixth of Victoria, 30th June.—Lord Melbourne's administration having been defeated on the 5th of June, upon sir Robert Peel's non-confidence motion, by a majority of one; her majesty was prevailed upon to summon a new parliament for the 19th of August following. The nomination for Evesham took place on Tuesday June 29, when Mr. Rushout and Lord Marcus Hill, the late members, appeared as candidates in person. Mr. Borthwick, being at the time in Paris, was also nominated as a candidate. At the show of hands a poll was demanded for Mr. Rushout, and the election took place on the following day. Lord *Marcus Hill* and Mr. *Borthwick* were then the members elected. The votes polled were, for Lord Marcus 188, of which 108 were plumpers; for Mr. Borthwick—though he neither canvassed personally nor appeared in the election—161, of which 42 were plumpers; and for Mr. Rushout 137, of which 34 were plumpers. After the canvass, but prior to the election, Lord Marcus was elevated to the rank of privy-councillor and was at the same time appointed comptroller of the royal household.

At this election the absurd and insolent custom of chairing the successful candidates upon the shoulders of their adherents was first broken through by both parties. Lord Marcus rode round the town in his carriage on the following day, attended by his friends: and Mr. Borthwick, on his return from Paris in July, rode round in like manner, to the satisfaction of his long-expecting adherents.

CHAPTER XV.

ASSOCIATIONS—FREE SCHOOLS—POPULATION—EMPLOYMENT—
PECUNIARY TOKENS—
LOCAL COURTS—ASSESSMENTS—NOTICEABLE CUSTOMS—
MARKETS AND FAIRS.

HAVING in our previous chapter regarded the burgesses in their corporate combination, we may now with propriety advert to the later association of the townspeople in general, for purposes of more varied character than those which we have just considered. And though the contents of our present section must necessarily appear of mixed and piece-meal form, we will endeavour to obviate as far as practicable the dulness of a dry detail.

Library and Reading-Room.—The spirit of inquiry which presents so gratifying a feature in the present age, has not failed to impress its influence, and to confer some portion of its advantages on this our town. A public subscription library for Evesham and its vicinity has in consequence been established for some time. It was instituted on the 20th of September 1819, at a meeting held in the guild-hall under the presidence of the mayor; and during the same month a commodious room was employed for the purposes of the institution, till an opportunity was presented for an eligible change. In September, 1824, a piece of ground fronting the market-place was purchased, and in the following spring the building at present appropriated to the institution was completed at an expense of £480. This sum was raised by shares of £10 each. The structure, which fronts the market-place, is a neat erection, and very eligibly situated. Beside the basement, which is let for other purposes, there is a well-proportioned room upon the ground-floor, for the use of the subscribers to the newspaper department;

as well as a second and more spacious room above, where the books belonging to the library are ranged, and where accommodation is provided for occasional perusal. The premises are duly conveyed to trustees, under a proviso that one of the apartments shall be let at a rent of £10 yearly, and no more, to "The Evesham Public Subscription Library," until default of payment or actual discontinuance of the institution. And if the other apartment be required for a public news-room, or such-like purpose, then the trustees shall let the same at such rent as shall be agreed upon. Provision is further made for sale of the premises, with the consent of the original subscribers or their representatives, and for appropriating the proceeds. But a resolution for such sale must be passed at a meeting held between the hours of twelve and one, convened by one or more subscribers, by notice affixed to the church-doors seven days previously. Provision is also made for the election of fresh trustees, when reduced to five in number.

The funds of the newspaper and book departments are distinct. Subscribers to the former are admitted by proposition from a member; those to the latter are proposed and balloted for at the monthly meetings of the subscribers. The annual subscription to the news-room,—to which the lower room has been applied since the date of the trust-deed,—is 21*s.*; that to the library is the same, with a present premium of five shillings on admission, in consideration of the advantages presented by the previously accumulated stock of books. To this stock additions are made at stated meetings of the subscribers, during the winter months, when all works proposed in writing by any member, are received or rejected by ballot. The principal periodical journals and reviews are also regularly supplied. The number of daily and other papers taken at the news-room, is six; the volumes at present in the library—including a copy of the Public Records in fifty-two volumes folio, presented by the commissioners in 1834—are about 2150; and the subscribers to the news and book departments number about 70.

A Mechanics' Institution, styled the Evesham Literary, Scientific, and Mechanics' Institute, was established in January, 1838: soon after which £170 was contributed by donations and subscriptions toward the purposes of the society. The object of the institution, as stated in its rules, is—the instruction of the members in

the principles of the arts and in the various branches of science and useful knowledge, by means of the voluntary association of mechanics and others, and the payment of a small quarterly sum in advance from each; by donations of money, books, and apparatus; by a library of reference, a circulating library, and a reading-room; and by lectures on natural and experimental philosophy, practical mechanics, astronomy, chemistry, literature, and the arts. The number of members is about 110, the books comprise 480 volumes, of which a catalogue is published; and these together with a valuable scientific apparatus are arranged in the lower room of the Public Library, which is appropriated to the use of the members of this institution every evening, excepting Sunday. The public lectures are delivered in the assembly-room opposite, and these have excited much interest and are in general extremely well attended.

Horticultural Society.—In March, 1827, an association styled "the Vale of Evesham Horticultural Society," was established in the borough. Its object is "to encourage the cultivation of choice flowers, fruits, and culinary vegetables." For this purpose annual subscriptions are made, to furnish prizes awardable to the owners of such productions as are adjudged to excel; with the beneficial proviso that the exhibitors of fruit shall furnish, upon request, a written description of the mode of cultivation. This association was for some years encouraged by the annual gift of a silver medal from the London Horticultural Society; in lieu of which a prize of 10*s.* is now given yearly by the treasurer, Mr. Barnes. The present number of subscribers is 108, including most of the clergy and gentry round. There are five meetings or exhibition-days in the year, held in the Guild-hall, between April and September; and though the society is, we regret to state, not quite so florishing at present as it has been, yet the character of the specimens ranged in the hall upon exhibition-days is usually of a superior order. The aptitude of this locality to the purposes of such an institution, as also the importance of its object in a horticultural district like our own, render this institution peculiarly deserving of support.

An Agricultural Society, styled "the Vale of Evesham Agricultural Association," was established here in November 1841, under the presidency of Edward Holland, esq. The objects of the society are—to encourage and reward the exertions of agricultural

labourers and meritorious domestic servants, to encourage the breeding and feeding of stock, to give premiums to the inventors of new and improved implements of husbandry, to correspond with the neighbouring local associations, and to promote generally the views of the English Agricultural Society. An annual exhibition is made on the green connected with the Crown Hotel, of the choicest animals and most approved implements; and a ploughing-match at the same time takes place upon land in the neighbourhood. Judging from the spirited manner in which this institution has commenced, we may presume that in the midst of so important an agricultural district it will attain a distinguished character.

Of the associations for religious and charitable purposes established in the town, the Bible Society appears among the earliest. This auxiliary, in aid of the British and Foreign Association, having been established here on the 28th of November, 1811. The original purposes of this noble institution are, we presume, too generally understood, to require enumeration. The local business of the association is transacted at monthly meetings of the committee; a public or anniversary meeting being likewise held in the guild-hall.

A District Association in aid of the Society for Promoting Christian Knowledge was instituted at Evesham, in August 1817, under sanction of the Bishop of the diocese.

A Church Missionary Society—in connection with the London Church Missionary Association—was established here in 1826. A public meeting is annually held in the guild-hall, and a sermon is usually preached about the same time, in Bengeworth church, for the benefit of the institution. There are likewise auxiliary associations in the town, connected with the Wesleyan, and Baptist Missionary Societies. Sermons in behalf of each are annually preached here, and public meetings are also held.

A Lying-in Charity, for the relief of poor married women, was established in Evesham, in January 1807. The funds of this society were in 1830 very seasonably increased by a legacy of £200 bequeathed by the late Miss Harriott Smith, £100 of which was paid on her decease, and the remainder is receivable upon the demise of her surviving sister.[565]

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[565] Will, proved in Doctors' Commons, 30th September, 1830.

A Benevolent Society, for visiting and relieving the sick and aged poor, was instituted here in 1809; the members of which have been instrumental in assisting many necessitous individuals, during the inclemency of winter and the sufferings of disease. The late Miss Elizabeth Horne bequeathed the sum of £200 duty free, to be placed out by trustees who were to appropriate the proceeds in aid of this institution.[566] But should the society be discontinued for twelve months, or no treasurer be appointed for three months together; or if the major part of the trustees shall at any time consider that such institution is not conducted upon its present principles; or if at any time its fund from other subscribers in Evesham shall not amount to at least £10 for any one year—then the bequest is to be transferred to the Institutions for the Indigent Blind, the Deaf and Dumb, and the Philanthropic, all in London, equally; or to any one of them, as the trustees shall decide. A legacy of £200, also duty free, was likewise bequeathed to this society in 1830, by the late Miss Harriott Smith.

Societies for the Distribution of Religious Tracts, for the Abolition of West Indian Slavery, and for Discountenancing Intemperance, have also been established here. The former in 1825, the second in 1826, and the latter in 1841.

National and Sunday-School.—In 1805 a Sunday-school was established in the borough—upon generally-recognized religious principles—by the Rev. Samuel Field; under whose superintendence it was for several years most satisfactorily conducted, in the guild-hall. But in 1812 an alteration was effected, upon the inclusion of a daily school on the system of Dr. Bell in conformity with the principles of the established church. These schools, after being carried on upon the premises belonging to the grammar-school and elsewhere, were in 1828 formally united to the National Society for the Education of the Poor: and in 1830,—in consequence of the re-appropriation of the grammar-school premises to the legitimate purposes of that foundation,—premises on the Merstowe green were purchased for the above schools, with £100 advanced as loan by ten individuals. Upon this spot separate rooms and play-yards for boys and girls were afterward constructed; the

[566] Will, proved in Prerogative Court, 13th February, 1829.

additional expense being defrayed by subscriptions, in conjunction with a grant from the Society in London. The children are admitted between the ages of six and fourteen years; and their average attendance daily is about 150.

The money advanced for purchase of the ground was discharged in 1834, upon receipt of a legacy of £100, bequeathed by the late Rev. Benjamin Rudge. The late Miss Horne in 1829 bequeathed £100 duty free, to be placed at interest for the benefit of this school. But if the school be discontinued, or no teacher or treasurer be appointed for three months, or if not continued upon the system of Dr. Bell, the above sum is then directed to be paid to the Institutions for the Indigent Blind, the Deaf and Dumb, and the Philanthropic, all in London; or to any one of them, as the trustees shall decide. The late Miss H. Smith in 1830 also bequeathed to this school the sum of £200 duty free, together with a further bequest of £200, payable on the demise of her sister. In 1842 the former premises being found insufficient for the requisite accommodation, a piece of ground adjacent to the former site was purchased; and here a commodious and ornamental building has been erected, the foundation-stone of which was laid in September, 1843. The cost, which was £1080, was defrayed by subscriptions amounting to £675, together with grants from the Council for Education, the National Society, and the Diocesan Society, amounting to £380.

Infant School.—In 1831 exertions were made by a few benevolent individuals in collecting subscriptions and donations toward the establishment of this institution. The result was so satisfactory, that in the same year ground was purchased, and a very neat and commodious school-room was erected, having a play-ground and teacher's dwelling-house attached; at a total cost of £680. The premises are conveyed upon trust for the education and management of infant children of parents of any religious denomination irrespectively. The trustees, with the committee, may introduce improved systems, and remove and appoint teachers; they may also charge the premises to an amount not exceeding £300, but that sum once paid off, no further charge is to be laid. In case the said school should during two years cease to be thus used, provision is made for its appropriation to other educational uses; but if this

be not done within three years, power is given to sell the premises and to apply the nett proceeds toward the public general education of the poor at any place within the county. The school-room, which fronts the termination of Chapel-street is a neat erection, somewhat in the pointed style, presenting an embattled pediment toward the street, flanked by buttresses and pinnacles, and protected by palisades. The play-ground and dwelling-house are situate behind; the latter being appropriated to the residence of the instructors, whose constant presence on the premises forms a material part of the educational scheme. The number of children instructed daily, is about 150; their ages varying from one to seven years. Respecting such an institution,—when we consider the extreme susceptibility of the human mind during the period alluded to, how easily in consequence it is then impressed, how much in fact it tallies with the noted simile of the greatest of all moral philosophers,[567]—we feel it needless to urge the vast importance of the object it has in view. For impressions made at such a season upon the character of the rising race, will assuredly not fail to exercise in some degree their influence throughout the whole of life.

A Medical-Provident Institution, for securing medical aid for the working-classes, by means of their own prudence and forethought, assisted by contributions from other ranks, was established in 1841; to the funds of which Edward Rudge, esq. the principal landowner here, liberally contributed £100, in addition to a subscription of five guineas yearly. A committee of ladies connected with the society visit the sick members, and bestow occasional relief.

A Savings' Bank was opened upon premises in High-street, in January 1839: and an Association in aid of the Worcestershire Friendly Institution, for securing aid to the industrious classes upon principles analagous to the system of life-assurance, was formed here, in May 1843.

Population.—In the fifth year of Elizabeth, 1562-3, we learn from Bp. Sandys' certificates that the three parishes of this town contained together 377 families.[568] By the census made in the

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[567] Locke. Essay on the Human Understanding, book ii. cap. i. sec. ii.

[568] In Nash's Worcestershire, vol. i. pp. 61 and 411.

year 1801, the number of inhabitants was returned as 2837 : in that of 1811, the total was 3068 : in that of 1821, 3472 : and from the minute returns made to the "population inquiry" of May 1831, the number of houses within the borough was then 847, of families 837, and of inhabitants 3976. At the recent census, made throughout the kingdom upon the same day, the 7th of June 1841, the number of dwelling-houses here was 952, and the total of inhabitants 4245. Of the latter 1979 were males, and 2266 were females.[569]

EMPLOYMENT.—The commercial importance of this borough connects itself with the era of the Plantagenet and Tudor race and all the glories of those bygone times. The earliest intimation we collect concerning such importance, is from the summons issued to this borough in the eleventh of Edward III. 1337-8, upon which representatives were deputed hence to "a council in respect to trade:" and on this occasion, as we learn from Willis, "only the chief trading towns were called upon and received such summons."[570] From one of those restrictive Acts, usual in the thirteenth century, intended to encourage trade, though practically restraining it, we find this town with four others in the county, represented as being well inhabited, and their inhabitants as well maintained by making woollen-cloths of various kinds; but that of late years persons dwelling in other parts of the county had begun to exercise cloth-making, to the injury of the said towns. Upon this representation, an act was passed that no person in the county should make any cloth for sale, except such as resided in Worcester, Evesham, Droitwich, Kidderminster, or Bromsgrove.[571] In the prelude

[569] Evesham Borough:

	Persons			Under 20 years		20 years upwards		Persons born In this County	Persons born Elsewhere
	Male	Fe.	Total	Male	Fe.	Male	Fe.		
Parish of All-saints . .	773	874	1647	346	368	427	506	1248	399
St. Lawrence . . .	702	814	1516	363	375	339	439	1270	246
St. Peter's, Bengeworth .	504	578	1082	242	248	262	330	885	197
	1979	2266	4245	951	991	1028	1275	3403	842

The return for the parish of All-saints includes five persons in barges. As the schedule furnished to the enumerators required the actual description of each person who had slept within the parish on the night preceding the 7th of June 1841, with reference to each head of inquiry.—*Abstract of the Population Returns*, MDCCCXLI. folio: published by Her Majesty's Stationery Office, 1843.

[570] Notitia Parliamentaria, pref. ix.

[571] Statutes, 25 Henry VIII. c. 18.

to this act, we are particularly told that part of the inhabitants were "daily set at work in spinning, carding, breaking, and sorting of wools:" others being at the same time employed as "weavers, fullers, shearmen, and dyers."

Mention of a fulling-mill in Bengeworth occurs in the conventual registers, as does that of a shear-mill in an old title-deed connected with the present mill-property above the bridge. In 1608 the ancient manufacture is again adverted to, in a *local* act of monopoly enacted by the corporation at that time. Therein it is ordered, that no person shall dye any cloth, but with one Richard Bradford, under certain penalties there declared.[572] But the only vestige now presented of these varied occupations of olden time, is in the knitting of worsted hose, still lingering in the outskirts—the dying embers of our ancient trade. This last employment occupied many persons in the town, till recent years; but the superior neatness of loom-production, has now nearly superseded the knitting trade. A proof of its former importance is furnished by the corporation book in the year 1615, when on the admission of one Norton, by purchase, to the freedom of the borough, it is provided that no other foreigner should be permitted to exercise the same trade "so long as Norton shall buy up stockings here."[573]

Parchment has been made in great perfection here from time immemorable. The advancement of this branch of manufacture may, we think, be reasonably attributed to the early demand for the article made by the inmates of the monastery; particularly to their provision for its constant supply by a special allotment of the whole tythe of Bengeworth to furnish parchment for writing, for the monks.[574] It is singular that by the recent disuse of other yards, this branch of manufacture is at present restricted to Bengeworth alone, the tythe of which parish was so long since appropriated to its furtherance.

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[572] "6th January, sixth of James the First, 1608. At this common-council, in consideration of £20, Richard Bradford of Tewkesbury, dyer, was admitted into the liberty and freedom of this borough as a freeman, to use his trade therein for his life, to the exclusion of any other person in the same trade: provided he keep the freeman's oath, and supply the borough and market in all things belonging to his trade. And it is ordered that no person shall dye any cloth, &c. but with the said Richard Bradford," under penalty set forth—*Corporation Book.*

[573] Entry of 30th May, 1615. [574] See chapter iv. page 76.

The manufacture of Linseed Oil and Cake has been for several years carried on in the borough; having been established by Mr. —— Beaufoy about the year 1730, and among the descendants of that family it has since continued. In 1806 an entirely new structure, containing improved machinery, was erected on the site of the former mill by Mr. Thomas Foster, father of the present occupier, under the able superintendence of Mr. Rennie. These mills also include one for grinding corn; and being worked by water, are situate upon the Avon, above the bridge, adjoining other corn-mills that now occupy the site of those which, as early as the survey of Domesday, pertained to the abbey, and were then employed by the people of the town. The corn-mills last mentioned are the property of Mrs. Sarah Smith.

In 1831, the preparation of bones for agricultural purposes was commenced by Mr. Thomas Nelson Foster, upon premises adjoining the above mills; from whence vast quantities of bones, previously boiled, ground and sifted, are drawn during the summer, for employment as manure, chiefly upon turnip ground. So important are its effects on certain soils, that in the county of Lincoln alone, "a tract of country many miles in extent" has been redeemed from sterility by its means.[575]

Silk Throwing was in 1792 introduced into this town by the late Mr. Thomas Mann. After that it was carried on by Mr. Anthony Stratton, and subsequently by Mr. James Atkins, upon premises connected with the oil-mills, as also in a factory erected for the purpose in Littleworth, but converted into cottages in 1834.

Riband Weaving was introduced here in 1822, by Mr. John Clark of Coventry, who has erected a factory in Rynal-street. Another spacious building, originally erected by Mr. Foster for silk-throwing, is also partially fitted up at present as a riband manufactory. In addition to those females who are employed in connection with the silk trade, many others are occupied in sewing kid gloves for the Worcester glovers, upon machines provided by their employers.

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[575] A portion of the above, let in 1770 at £223, now yields, in consequence of this improvement, £3000 a year.—*Twidale on Bone Manure*, in Farmer's Magazine, June, 1834.

In consequence of the town being seated in so extensive a district for grain, very considerable quantities of barley were formerly malted here. But though many of the old malthouses yet remain, the manufacture is now diffused beyond the borough. Hops seem likewise to have been extensively grown near the town; for as late as the middle of the last century we find six hop-kilns in Britain-street enumerated among property belonging to the Gardner and Bulstrode family.[576]

Gardening is, however, at present the staple employment of the laboring class. Tradition has, with every appearance of probability, ascribed its origin and practise here to the example of the inmates of our ancient monastery. In unison with this opinion,—which, however, Mr. Tindal has treated slightingly,[577]—we have proof, not only in the conventual records, but also in the royal grants to sir Philip Hoby, that an extensive garden-ground was immediately connected with the abbey. The very spot where such garden must have been situated—where gentle banks and genial hollows lie open to "the soft south"—is still thus cultivated. The situation adjoins the monastic site, and one portion is still known as "the little abbey," and another as "the great abbey" gardens.[578] This land is, of course, the richest and most productive portion of the soil, and the rental is, partly on this account and partly from its proximity to the town, amazingly high. So long ago as queen Anne's reign this seems to have been the case, since Pope has glanced at the "lords of fat E'sham," in his day.[579]

In addition to the conventual origin of our gardening, the practise is said to have been considerably advanced, by Signior Francis Bernardi, who, in the century succeeding that of the suppression of

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576 Act for confirming a Partition of the Estate of George Gardner esq. deceased. Passed 22d May, 1751.

577 History and Antiquities of the Abbey and Borough of Evesham, page 208.

578 "Walk into any large garden, and you will easily discover those flowers by their names alone which grew around the abbeys in former times: there you will find the Star of Bethlehem, Jacob's Ladder, St. Margaret, Solomon's Seal, Our Lady's Smock, Star of Jerusalem, Our Lady's Slipper, the Passion Flower, the Virgin's Bower, and numerous other similar names for plants and other natural objects, taken from the principal subjects of adoration."—*Miller's (Thomas) Beauties of the Country.*

579 Pope's Satires and Epistles, book ii. epistle 2.

monasteries, settled here, upon retiring from court as agent from the commonwealth of Genoa, and amused himself with this delightful occupation on an extensive scale. This gentleman expended—as we are told by his son Major John Bernardi—upwards of thirty thousand pounds in the indulgence of this taste: partly at Windsor and ultimately here.[580] With such precursors, and possessing such local advantages as this fertile district proverbially confers—no marvel that the gardeners of Evesham have long been known by the excellence and earliness of their productions, far and near. The principal markets to which their produce is transferred, are those of Birmingham, Dudley, Coventry, Warwick, Cheltenham, and Worcester; whither they travel, or communicate by railway, weekly through the season. But beside these places, almost every town within twenty miles of their own is visited by others of them frequently. Asparagus, for the excellence of which Evesham is particularly famed, has been frequently taken to the Bath and Bristol markets, and is even conveyed to the Metropolis itself.

The extent of ground within the borough at present cultivated as garden-land, appears by computation to be 594A. 3R. 29P. rented at prices, varied according to quality, from four to ten pounds per acre, and even at a much higher rate where it immediately adjoins the town. Of this quantity, about 459 acres are situate in the parishes of All-saints and St. Lawrence, and about 135 acres in that of Bengeworth. But though the employment is of itself so proverbially healthful, it is painful to witness in this, as in other instances, the effect of incessant toil with the lack of suitable recreation, upon the naturally vigorous frames of those who are here engaged in it. The early period of life at which their labor usually begins, appears to repress their growth to the middle height or under it; and though the frame is in general strongly compacted at manhood, yet they soon begin to fall away, and are often lame or decrepid, when if rationally worked, they would have still continued in their prime. Their wages average ten shillings weekly.

The Printing-press appears to have been introduced into Evesham about the year 1770, by Mr. Henry Smith, son of a maltster

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[580] "History of the Life of Major John Bernardi, written by himself in Newgate, where he was upwards of forty years a prisoner of State." 8vo. London, 1737.

here, upon premises in High-street at the north-west corner of Magpie-lane. The original wooden press came afterward into the possession of the late Mr. Agg, printer in Bridge-street; and up to the year 1827 was still occasionally employed as a proof-press in the office now occupied by the writer. During the last century the supply of books here seems to have been infrequent and accidental; furnished chiefly by individuals from some larger town, who visited other places periodically. Among such, Evesham was thus visited by Dr. Johnson's father, bookseller at Lichfield; who in an advertisement issued in 1718 states—that 'he has had several auctions at Gloucester, Tewkesbury and Evesham;' and among the stock he carries with him enumerates law, mathematicks, and divinity; observing that "to please the ladies he has added store of fine pictures and paper-hangings."[581] At present the town contains three printing-presses, and is supplied with the newest publications weekly.

Pecuniary Tokens.—In removing a stack of cottages in Mill-street during the summer of 1843, a copper token, somewhat larger than a modern shilling was found. It bore within a heater shield *three flowers de luce*, and round the rim, in Norman characters, AVEMARIA + GRACIÆ PL. "Hail, Mary, full of grace." The reverse presented only a cross flory, with the initials I. A.—perhaps intended for *Johannes Abbas*, temp. Edward I.—twice repeated. This token we consider to have been a jetton or counter, employed in computing, during the ages when arithmetic was cut upon tallies. Snelling observes, with relation to such counters, that those whose legends we are able to read, usually contain some religious or moral sentence—as *Sit nomen Domini, Ave Maria gratia plena*, or part of it.[582]

The following pieces were issued by tradesmen at Evesham, prior to the year 1672, during the period in which subjects were permitted to coin halfpence and farthings for the convenience of trade.

Peter Cross, $_{P\,M}^{C}$=In Eveshame, 1649.

William Rudge, $_{W\,A}^{R}$=In Evesham, 1649.

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[581] Copy of the original Catalogue published by Michael Johnson of Lichfield; late in the possession of Mr. Fernyhough of Peterborough.

[582] Snelling on the Origin and Use of Jettons. London, 1769.

Mathew Michell=of Evisham, 1653.
John Lacey=of Evisham, 1654.
William Brooke, $_{W}^{B}{}_{A}$=In Evesham, 1656.
Phillipp Ballord his halfepenny=of Evesham, 1664.
Joshua Fransham his halfepenny=in Esham, 1666.
Ric Goddard Bridg $_{R}^{G}{}_{M}$=Streete in Evesham.
Edward Pittway at the=Red Lyon in Bengworthe $_{E}^{P}{}_{F}$.
The Burrow of Evesham=For necessary exchang B E.
For Exchainge. B E.=The Borough Arms.

Local Courts.—This borough is, by its charter, entitled to hold a criminal court, and even to adjudicate therein in cases of felony and murder; but that clause is at present abrogated by the Municipal Reform Act. The last execution that took place here under sentence of this court was, according to Mr. Tindal, "about the year 1740," when a female was burned within the borough under the then existing statute against petty treason.[583] The court of record confirmed by the same charter, as well as the criminal court, have continued in abeyance since the Municipal Act came into force. But as pleas, actions, and suits, within the liberties of the borough, together with debts, covenants, and contracts, not exceeding £100, are eligible to be tried therein, it may perhaps at some future period be deemed convenient to revive it; according to the provisions of the Municipal Act, section 103. Petty sessions are at present held weekly in the guild-hall by the magistrates.

Assessments.—The total amount of government taxes paid by this borough, prior to the repeal of the Pitt property-tax, was for the year ending April 1814, £5188 7*s.* 11¾*d.* Being, for unredeemed land-tax, £231 6*s.* 6¾*d.*; for assessed taxes, including game-duty, £1957 1*s.* 2*d.*; and for property-tax, after discharges, £3000 0*s.* 3*d.* After the repeal of the last tax, the total paid for the year ending April 1833, was £1552 4*s.* 11½*d.*: and after a partial reduction of the Inhabited-house Duty, upon houses used for trade, made during that year, the total amount paid for the year ending April 1834, was £1378 8*s.* 10½. In consequence of an increase of ten per cent. granted by parliament on the assessment of 1841, the amount of taxes paid here for that year was

[583] History and Antiquities of the Abbey and Borough of Evesham, page 212.

£1330 18*s.* 8*d.*: and the additional assessment for the borough to the recent Income-tax for the year ending April 1843, amounts to £712 13*s.* 10*d.*

Proceeding now to *local* assessments: the total amount paid for poor-rates by the borough, prior to the enactment of the present poor-law, was for the year ending March 1836, £1663 13*s.* 1*d.* At Midsummer 1837, being the first year after that enactment, the amount was £1156 0*s.* 3¼*d.*; and for the year ending March 1844 the amount was £2382 2*s.* 3*d.* Of the last amount £824 12*s.* 2*d.* was paid by the parish of All-saints; £674 8*s.* 4*d.* by that of St. Lawrence; and £887 1*s.* 9*d.* by the parish of St. Peter.

The assessment made in 1844, under the local Improvement Act for paving and lighting the town, amounted to £543 5*s.* 5*d.* The road rate last levied under the same Act, for the repair of carriage ways within the borough was in 1833, and amounted to £271 15*s.* 10*d.*; and the last bridge rate, levied in 1834, amounted to £397 2*s.* 8*d.* Prior to the passing of the Municipal Act, this borough was exempted by its charter from payment of county rates; but since that enactment the amount from hence paid during 1844 was £244 13*s.* 4*d.* in addition to borough rates amounting to £150, for the same period.

Noticeable Customs.—The few peculiar and ancient customs that linger in various portions of the country are at all times worthy remark; and therefore even the meagre information which we are able to gather under the above head, we deem it a duty not to cast aside. One is puerile, because connected with a sport called "thread-my-needle," a game played here by the children of the town throughout the various streets, at sunset upon Easter Monday, and at no other period throughout the year. From the season of this observance, as well as the cry of the players while elevating their arms arch-wise, which *now* is "open the gates as high as the sky, and let Victoria's troops pass by," it is probable that the custom originally had reference to the great festival of the church and the triumphant language of the Psalmist applied to the event commemorated at this period.[584]

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[584] "Lift up your heads, O ye gates, and be ye lift up, ye everlasting doors: and the King of Glory shall come in."—Ps. xxiv. 9.

Another custom somewhat peculiar, and observed beyond memory till within the last two or three years, was that of rising the tenor bell, which hangs in the bell-tower, at four o'clock on the mornings of Monday, Thursday, and Saturday, throughout the year. Why these mornings should be preferred and why the early hour, especially in winter, it is difficult to say. We know that the bell-tower always contained one large bell, and though that was re-cast subsequent to the Dissolution and as late as Charles the Second's time, yet, like the curfew-bell still rung there, the morning toll may have originated in an earlier usage.[585] Rumour vaguely ascribes the observance to the gratitude of a stranger, who at some unknown era had lost his way in the darkness of night till directed hither by an accidental peal, which he provided should be thenceforth perpetual; but what or where was his endowment, no one undertakes to acquaint us. The curfew or, more properly, the evening bell is rung at eight o'clock at night; except on Saturday and throughout the twelve days after Christmas, when, as if to relieve the inmates an hour earlier from toil, it peals at seven. But however well intended may be the call when viewed in this aspect, there are few if any of its hearers who responsively comply with it.[586]

Markets and Fairs—were regularly held here prior to the charter of James I. Indeed, from entries in the conventual registers, we may regard them as commencing almost with the foundation of the monastery. From the various articles enumerated in royal grants of an early period, our ancient markets seem to have been

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[585] The custom of covering up their fires about sunset in summer, and about eight or nine at night in winter, at the ringing of a bell called the *couvre-feu*, or curfew-bell, is supposed by some to have been introduced by William I. and imposed upon the English as a badge of servitude. But this opinion does not seem to be well founded. For there is sufficient evidence that the same custom prevailed in France, Spain, Italy, Scotland, and probably in all the other countries of Europe, in this period; and was intended as a precaution against fires, which were then very frequent, and very fatal, when so many houses were built of wood. But Henry I. restored the use of lamps and candles at court in the night, after the ringing of the couvre-feu bell, which had been prohibited by his predecessor William Rufus.—*Henry's History of Gt. Britain*, book iii, chapter 7.

[586] "In the year 1332, at a provincial council, held by Abbot Mepham, at Magfield, it was appointed among many other things relative to holy days, "that the solemnity for Sunday should begin upon Saturday in the evening, and not before."—See *Brand's Popular Antiquities*, obs. on chap. xii.

abundantly supplied with every variety of merchandize and provision.[587] But at present, although the charter has appointed two markets to be holden in every week,—upon Monday and Friday throughout the year—yet during a long period the former day only has been so employed; at which time the attendance and supply are usually very large. Indeed it is probable that this—though not the most convenient day for such a purpose—has been thus employed here at least since the year 1201; down to which period Sunday was in many cities and boroughs the open market-day. But in that year the abbot of St. Germer de Flaix, by preaching in various towns against this custom, occasioned the market to be held on the following day.[588] There are still, however, some lingering vestiges of the Friday's market; such as the attendance of the country carriers on that day, together with certain signals of attempts at traffic displayed in the immediate vicinity of the hall.

The facility of communication in modern times, will hardly allow us to form an adequate notion of the ancient importance of our public fairs. For at these seasons, only, could the householder find sufficient variety and supply of many most important articles. The concourse of buyers from the whole vicinity, as well as that of vendors from different parts, was consequently large: and the commodities were provided in sufficient quantities to supply the purchasers during great portion of the year.[589] Thus the business then to be transacted within a given term was often so engrossing, that even the church itself was not exempt from secular invasion. For by the Benedictine Statutes of Reformation, enacted in 1249, it is ordained that no bargains shall be drove in churches, unless at the time of fairs;[590] when, indeed, a universal licence seems anciently

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[587] Grants of 1st Edward III. 3d Edward III. and 2d Henry IV. cited in chapter xviii. of the present volume.

[588] Chronicle of Jocelin de Brokeland, published by Camden Society.

[589] From the earl of Northumberland's Household Book, A.D. 1512, printed by Dr. Percy, we learn that the stores of his lordship's house at Wresille, *for the whole year*, were laid in from fairs.—"He that stands charged with my lorde's house for the houll yeir, if he maye possible, shall by at all faires, where the groice emptions shall be boughte, for the house for the houll yeir; as wine, wax, beiffes, multons, wheite and malt."—*Beiffes* and *multons* were salted oxen and sheep, cured for the winter; when formerly fresh provisions were rarely to be had in "merrie England."

[590] Stevens's Additions to Dugdale's Monasticon, vol. i. page 186. London, 1722.

to have prevailed. The number of fairs secured to this borough by its governing charter, is at present doubled; and the first fair named therein has been altered from the feast of St. Silvan, to Candlemass-day. The present number of annual fairs for live-stock and other produce is consequently six. These are severally held on February 2, the second Monday after Easter-day, Whit-Monday, the second Monday in August, the 21st of September, and the second Monday in December. Those in August and December were added by the corporation in 1795, and are declared in the minute on the books, dated 13th June in that year, to be both toll-free fairs. There are also two yearly "statutes" held on the Friday before and after Old Michaelmas day, at which agricultural and even domestic servants stand in rows for inspection by masters and mistresses, and thus wait for hours in all kinds of weather seeking to be "hired." These strange assemblages are locally termed "mops," and are also general in the neighbouring towns. How long is the dignity of human nature to be thus outraged? Measures have already been adopted to obviate the evil even at Winchcomb, a smaller and adjacent town.

CHAPTER XVI.

THE CAREER OF SYMON DE MONTFORT—THE BATTLE OF EVESHAM.

WHEN the sovereignty of England was at length wrested from the Anglo-saxon nation, and that indomitable race had finally submitted to their Norman conquerors, a morose and sullen gloom obscured the character of the people; who brooded angrily over the remembrance of past injury from their Norman spoliators, and ever and anon were goaded anew by the studied insults which long continued to be offered them by their oppressors.

At the commencement of the thirteenth century the heartburnings and animosity between the Saxons and the Normans had become somewhat ameliorated by time. And now, as if to induce a nearer approach toward union, king John, prone to the influence of favorites, and fascinated by the wit and sprightliness of his continental allies, facilitated the ingress of adventurers from Poictou and Anjou into England; to welcome whom, Normans were removed from high and courtly offices, that these fresh favorites might be dignified and enriched. The new courtiers, hastening to amass wealth, scrupled not to abuse their public station; exacting alike from the cheiftain of Norman birth and from the Saxon vassal. By these measures both races of inhabitants were for the first time roused against a common enemy; the only ground of concurrence upon which they had met, since their violent and ungenial union.

The descendants of the Norman invaders were in like manner made aware that before they could retain their Anglo-saxon spoils —the lands, and serfs, and towns, with which their progenitors had been rewarded—the sovereign must cease to retain the discre-

tional powers of a supreme military commander. And such restriction, they had already learned, could only be effected by the execution of a defined or written constitution: for while written grants, obtained from recent sovereigns had been observed, the harsher grievances of the feudal system were to some extent ameliorated. Hence the Great Charter took its rise; wherein were embodied the most urgent grievances of the age, to remedy which that document was prepared by the temporal and spiritual baronage of the period. The citizens of London also lent their aid, hoping to obtain by the same charter a government less vexatious, and treatment distinguished by less of personal harshness and contempt.

John, styled by contemporaries "the faithless and the deceitful" was, it is true, at length frighted into an acceptance of this charter: but his repeated renunciation of its authority, and his habitual evasion of its provisions, corroborated earlier proofs that moral obligation was to him a stranger. Henry the Third, while yet a child, succeeded him. Environed thus by the adherents of his vacillating father, we wonder not that each demand from his people for the confirmation of the charter, was for a while evaded; nor, at a later period, when his disposition became manifested, that even his oaths and judicial imprecations were, in this particular, uttered only to be set aside. But, as though this were not sufficient imitation of his predecessor, Henry aggravated another grievance of the former reign, and inundated England with a fresh swarm of foreigners. His mother Isabel of Angouleme having re-married in her own country, his half-brothers and their connections were rapidly admitted to our civil, military, and ecclesiastical dignities. And upon his own marriage with Eleanor of Provence in 1236, the natives of that district also flocked hither, together with Savoyards, Piedmontese, and Italians.

To feed these multiplied and rapacious aliens, Henry persisted in levying the most grievous exactions upon all classes of his subjects:[591] for even such parliaments as he and his advisers chose to

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[591] "He was blamed also for his mode of procuring victuals and drink, particularly his wines, also his robes; all which were wont to be seized by violence against the will of the true owners and of those who sold them; on which account both native

summon, either refused him aids on each occasion, till the charter should be again nominally affirmed, or otherwise they neglected to appear; alleging the danger to which they should be exposed upon their journey from the armed bands of the king's chief favorite and prime minister, Peter de Roches, the Poitevin bishop of Winchester. The clergy were at the same time equally disaffected; foreigners being preferred to the vacant benefices; to what extent, may be judged from the fact that Johannes Maunsel, one of them, actually held seven hundred English livings, which brought him in an income of 18000 marks.[592] And in addition to the aids which the king directly wrung from them, the papal bulls exacted unconscionable sums; under cover of a professed engagement to prosecute a claim to Sicily, with which the pope had deluded Henry. In this manner the English ecclesiastics were made to feel that their interest was sacrificed to the king and pontiff, thus leagued together in shameless combination.

This state of national dissatisfaction had endured for upwards of thirty years, when on the 11th of June 1258, the parliament at Oxford decided that all previous confirmations of the charter having been defeated by evil advisers, the only security that remained was, to vest the administration in other hands than those of the sovereign. Twenty-four barons were therefore chosen, twelve by the king and twelve by the parliament. This body was empowered to redress grievances and to reform the state—but subject to a parliament to be assembled thrice a year—and they were to be informed of all breaches of law and justice by four knights, to be elected for that purpose from every county. Although the Provisions of Oxford have been denounced as factious and unwarrantable; yet upon a calm survey of the sovereign's aggravated violation of the conditions upon which he had repeatedly agreed to govern, we must admit this procedure to have been temperate as well as prudent; in an age when no alternative was presented save deposition, or tame submission to the despotism of the crown.

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and foreign tradesmen withdrew and hid themselves, and goods were not imported nor brought to market. Trade became extremely injured, and the public much distressed and incommoded; for in truth mercantile people experiencing this vile treatment went home full of invective and contemptuous reports of the king."—*M. Paris.*

[592] Chronicle de Mailros, page 239.

Symon de Montfort, earl of Leicester, was elected president of this council; and to him is usually, and no doubt rightfully, referred the origin and maturity of this important measure. His station was that of the most powerful subject in the realm; he had ever been foremost in denouncing the king's habitual breach of faith, as well as in urging his observance of the charter; and the reader will probably see cause to admit, before the conclusion of this chapter, that De Montfort's capacious mind and comprehensive views were fitted for the production of so masterly and so original an expedient.

Of the origin of this distinguished individual it is sufficient to remark that he was the second son of that noble of the same name and title, who acquired such distinction and dominion as leader of the papal crusade against the so-called heretical Albigenses.[593] Although his age nowhere appears, his birth would seem to have occurred early in the thirteenth century. Inheriting the earldom of Leicester, with a portion of its revenues, in right of his grandmother Amicia, sister of Robert Fitz Parnell;[594] he at an early period distinguished himself at the English court. In 1238, having gained not only the affections but even the favors of Eleanora widow of the earl of Pembroke, the beautiful and elegant sister of Henry the Third, the king, though he in some degree made a virtue of necessity, publicly delivered her to him in his court at Westminster with his own hand; upon which they were immediately married in the chapel royal of St. Stephen, in presence of the sovereign.[595] De Montfort thus became brother-in-law to the king

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[593] Having achieved the conquest of the province, he divided among the French lords the castles and lands of the heretics; and having been made count of Toulouse by the council of Lateran, his style was "Symon by the grace of God duke of Narbonne, count of Toulouse and of Leicester, viscount de Beziers and Carcassone and lord of Montfort."—*Nichols's Leicestershire,* vol. i.

[594] Robert Fitz Parnell leaving no issue, his inheritance was divided between his two sisters Amicia and Margaret. Amicia retained as her moiety such lands as were situated in the county of Leicester, and with them the honour of Hinckley and the high-stewardship, which was not partable; and the office was executed, *jure uxoris,* by Symon de Montfort, count of Evreux, who being created earl of Leicester in 1206, became possessed of the honor and high-stewardship *pleno jure.* But taking part with the French against king John, he was stripped of his honours aud estates, and banished.—*Dugdale's Baronage,* vol. i. page 712.

of England and to his royal sisters, one of whom was empress of Germany, and the other queen of Scotland. Shortly after Henry constituted him his first councillor, and formally invested him in the earldom of Leicester, with the assent of Almaric, his elder brother.[596]

A rebellion occurring in Gascony, which then pertained to the English crown, Henry in 1249 dispatched his brother-in-law De Montfort with an army, who quelled the insurrection. But upon the Gascons, in 1252, accusing the earl of harshness while governor of the province, the king received them favorably; but when De Montfort repaired to England to justify his conduct in person, Henry expressed himself satisfied: yet after this he caused him to be tried by his peers; evidently desiring to convict him, that so he might readily transfer the government to prince Edward. De Montfort at his trial, though taken by surprise, had with him the regard of the principal barons; so that no conviction ensued. Having finished his defence, he proceeded to remind the king of the services he had rendered him, and urged him to fulfil his promises of reward. Henry, at once forgetting the dignity of his station, loaded the earl with opprobious language, and even denounced him as a deceiver and a traitor. De Montfort started to his feet, and plainly told the king he lied![597] The barons now interposed. But though a formal reconciliation took place, yet Henry is said never to have been cordially affected toward Leicester afterwards.

De Montfort's attention seems from this time to have been chiefly

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595 "In the beginning of the year 1238 the king held his court at Westminster, and on January 8 gave his sister Alienor daughter of king John in marriage to Simon de Montfort, and delivered her to him with his own hand in a little chapel adjoining the king's chamber."—*M. Paris*, ed. 1640, vol. ii. page 465.

596 "On the day of the purification of the blessed Virgin, anno 1239, the lord king bestowed the earldom of Leicester upon Symon de Montfort, and invested him in the same, [by girding him with the sword of the county]: Amauri or Almeric, brother of Symon, having been first invited over and satisfied, lest at any time he should move a question upon it."—*M. Paris*, p. 409.

597 "The earl, as soon as the king's last words reached his ear kindled into a violent rage, and rising up, openly protested that in calling him traitor, the king manifestly lied, and that if he was not dignified with the kingly title and ornaments, it should be a bad hour for him in which such a word had issued from his lips."—*M. Paris*, anno 1250.

engrossed by the reckless conduct of the king, and the increasing defection of his subjects. His deliberations at this critical period were evidently grave and protracted. Avoiding the rash counsel of the ambitious, we find him unbosoming his fears and his wishes to the most eminent prelate of the time, the venerable Robert Grosseteste, bishop of Lincoln. With this ecclesiastic—so renowned for the extent and variety of his erudition, that he was regarded throughout Europe as a prodigy, while his pastoral zeal in like degree adorned his christian character—De Montfort had long enjoyed the closest intimacy. To him he had committed the instruction of his sons; with him he had always been accustomed to advise; and at this important era, he seems to have been chiefly guided by his discretion, till death deprived him, in October 1253, of this invaluable friend and councillor.

More than four years had elapsed since the loss of his friend, when De Montfort assumed the office of president of the provisional council; to which he had been elected in the parliament of Oxford, as already noticed. His occupation of this office has subjected him to the charge of personal ambition; and has occasioned his aspersion, as though he regarded that lofty station as a stepping-stone to the crown. But his appointment was assuredly consistent with the spirit of the English constitution. The sovereign had wilfully nullified his own contract to govern under certain restrictions; and as a last resource, parliament, with the formal concurrence of the sovereign, vested the administration where they had reason to believe that the articles of that contract would be observed faithfully.

The solemnity with which De Montfort is said to have entered upon the duties of his office, is in unison with the spirit that had previously led him to confer with the profound and conscientious bishop of Lincoln. Thus we learn from the chronicle of Mailross, that from the time when he entered into engagement to reform the government, he resolved upon and had commenced a severe regulation of his private life. For by his oath of office he had sworn "that he, to the honor of God, to the faith of the king, and to the profit of the realm, would ordain and treat with the aforesaid sworn men"—the parliament of the kingdom—"upon the reformation and the amendment of the estate of the realm: and that he never would be wanting in his duty, for gift nor for promise, for love nor

for hate, nor for the power of any one, nor for gain nor for loss; but would do according to the tenor of the letter of the king, given in this behalf, and upon faith likewise."[598] Acting therefore, as the chronicles declare, under assurance of the serious results that would ensue from an unwavering adherence to his oath, his personal conduct—viewed in connection with the religious observances and opinions of the age—lead to the conclusion that he now regarded himself as set apart by the ordination of Providence, either to rescue the nation from impending evil, or as doomed to die in the attempt.

The administration of the provisional council continued, with little interruption, about the space of four years. In 1261 Henry, presuming upon the grant of a papal absolution from his oath, made a fruitless effort to relieve himself from its restrictions. But Prince Edward, then returning from France, discountenanced this attempt, although the oath had been involuntarily taken. The king was therefore induced, upon the intervention of his brother, to confirm once more the Oxford provisions; after a majority of the barons had consented to abate some articles most disapproved of by the king. But De Montfort refused to temporize upon the ground of mere expediency. His expressions were that he dared not rely upon the word of a prince who had never scrupled to violate his oath, when he considered that by so doing he might advance his interest. But for his own part,—in allusion to the oath which he had taken—he would rather die without an inch of land, than recede from the truth by perjury.[599] He thereupon withdrew from England and retired into France.

His absence proved favorable to Henry's purposes. The barons became alarmed by the intervention of the pope, who now formally appeared against them as supreme head of the church and as sovereign temporal lord of the kingdom of England. Prince Edward was also now in close union with his father. The provisional council were divided among themselves, and discouraged by a variety of circumstances. In fact, the recent deaths of Richard earl of Gloucester and of John Fitzgeoffrey, and the defection of other

[598] Annals of Burton, edited by Gale, in Nichols' Leicestershire, vol. i.

[599] Annals of Dunstable, anno 1261.

members, had so reduced their party, that Gilbert the young earl of Gloucester, Hugh le Despenser, Peter of Montfort, Walter de Cantilupe bishop of Worcester, and the absent earl of Leicester, alone remained unshaken. But Henry, instead of cautiously improving these advantages, rashly changed the entire aspect of affairs, by introducing foreign troops, raised chiefly in France by Prince Edward. This palpable mistrust of the faith and service of his English adherents, naturally excited their suspicion; so that many native knights withdrew from the service of the king, and joined in inviting De Montfort back to England.

The earl, obedient to the summons, arrived in England at the close of April 1263; and in a council of the barons it was then unanimously resolved to maintain the Oxford provisions by arms; De Montfort being elected general. The citizens of London declared their adherence to the same cause. Foreigners were every where violently expelled by the populace; the royal castles were occupied by the barons, together with the towns of Gloucester, Hereford, Bridgnorth, and Worcester; and an alliance was completed by De Montfort with Llewellin prince of Wales. But, though prepared for the worst, yet as desirous to avoid the horror of intestine war, the barons by a written declaration formally besought the king to redress their grievances, as their only requisition for the maintenance of peace. But this negotiation terminating unsatisfactorily, it was at length determined by both parties to refer their differences to the decision of Louis the Ninth of France, usually styled St. Louis. On the 3d of February 1264, that monarch pronounced as his award, that the barons should restore the royal castles, possessions and rights, as held by the crown prior to the parliament of Oxford; and that they in return should receive a general amnesty and full enjoyment of the rights claimed by the charter.

With the conscientious Louis, such stipulations might have proved conclusive; but with the vacillating English king, the acceptance of *his* promise as the warrant of redress, would have amounted to a renunciation of the subjects' rights, and a perpetuation of that unrestricted sovereignty against which the barons and people were combined. Hostilities therefore commenced. Though not until after the earls of Leicester and Gloucester had, while encamped in

Sussex, made three renewed overtures for peace; first by a delegation of knights, then through the medium of the bishops of London and Worcester, and lastly by a respectful letter, sealed in the name of all. But these propositions Henry treated alike contemptuously. Both armies consequently met at Lewes, May 14th, 1264; and in that decisive battle the royalists being defeated, and the king with prince Edward being captured, a treaty known as the *mise* of Lewes was subsequently concluded. But the barons still retained the king and prince as hostages, till all things should be settled by authority of parliament.

To obtain the decision of that body in the fullest manner, De Montfort, in whom the supreme power was now actually vested, influenced Henry to summon not only the greater barons, the dignified ecclesiastics, and the lesser barons or knights of the shire—but dwellers in cities and boroughs were likewise required to send, each, "two out of their most respectable and sage citizens and burgesses." This parliament accordingly assembled on the 25th of January, 1265. Much has been written respecting this summons to the delegates of burghs; and it has been usual to regard it in the light of an experiment, originating with the earl of Leicester. But there are occasional precedents in our borough history, which have induced the conclusion that this was but the re-extension of ancient usage, which had latterly been restricted to the few cities and boroughs that held immediately from the crown. The evil of that restriction must already have become apparent, as subjecting the government to the will of the nobles, while the bulk of the nation exercised no voice in the public proceedings. De Montfort had witnessed the severe exactions to which the burgesses had, without remedy, been exposed; he had likewise experienced the faithful co-operation of the same class; and therefore, to approximate more intimately the energies and interests of both classes,—of the dwellers in towns as well as of the lords of the soil—he, at the earliest occasion, rendered operative that clause in the charter which confirms to all cities and boroughs "their free customs and liberties," and which admits them to share in the common-council of the realm, concerning at least the assessment of their aids.[600]

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[600] "All other cities and boroughs, and towns and ports, shall have all their liberties

The temporary powers of De Montfort rapidly engendered distrust among his colleagues; while they regarded, in connection, the popular attachment toward his person and the unparalleled position to which he had attained. To this cause contemporaries attribute the defection of Gilbert earl of Gloucester; who by facilitating the subsequent escape of Prince Edward, and placing him in command, at once brought both parties to an open rupture. The royalists immediately afterward gained possession of Gloucester, Monmouth, and Worcester; and by their destruction of the bridges and craft upon the Severn, De Montfort, who had marched as far as Hereford, found himself compelled to retreat; urging his son Symon, then before Pevensey, to march for his reinforcement. With this command the son, though accused of dilatoriness, complied; and having reached his mother's castle at Kenilworth,[601] he there rested his troops. Upon this Prince Edward moved from Worcester toward Kenilworth, to attack him there, and thus prevent the junction of the father and son. This object, through the impetuosity of young Symon, the prince attained; suddenly defeating him at Kenilworth on the morning of Sunday August 2d 1265.

Meanwhile De Montfort having crossed the Severn on Sunday; arrived at Kempsey, the bishop of Worcester's manor, where he rested during Monday; and then proceeded toward Kenilworth to join his son. On Tuesday August 4th he arrived at Evesham with king Henry, whom he still retained in charge. It was the earl's desire to press on immediately, but the king—who was entertained in the abbey as the foundation of his ancestor—would stop to dine. The prince, meanwhile, aware of Leicester's movement, had marched from Kenilworth, and now advanced toward Evesham, displaying the banners which he had taken from the younger Symon and his adherents.[602] Nicholas the earl's barber, famed for his knowledge in armorial bearings, seeing a multitude in arms toward the north, ascended the clock-tower of the abbey, and told his lord that he

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and free customs; and shall have the common-council of the kingdom concerning the assessment of their aids."—*Magna Charta.*

[601] In 1249 the king made a grant of Kenilworth Castle to his sister, countess of Leicester, to hold during her life.—*Nichols's Leicestershire,* vol. i.

[602] William de Nangis, tom. v. in Nichols's Leicestershire, vol. i.

could not distinguish clearly, but he believed he saw the banners of his friends. The earl replied, "It is my son, fear not, but view them carefully, lest we be intercepted:" for he had not then heard of his son's mishap. Nicholas complying with the earl's request, at length distinctly recognized the banners of the prince and his adherents; who having furled the others had now reared their own. Upon this, he cried out to Leicester "We are all dead men; for it is not your son, as you supposed, but the king's son on one side, the earl of Gloucester on the other, and Roger Mortimer on the third."[603]

De Montfort now saw that he must at once engage, or otherwise seek safety in flight. He therefore chose the former; though his forces bore no comparison with the enemy. Then drawing together his little army, aware that their inferior number must ensure defeat, he gave to every one who desired it, leave to depart; and even entreated Hugh Despenser, Ralph Basset and other leaders to fly and reserve themselves for better times; but they refused to desert him. He then enjoined his followers to confess their sins, and commanded that such as were disposed to die for righteousness and the laws should prepare for battle. He himself confessed and received the sacrament from Walter de Cantilupe bishop of Worcester, who had arrived from his manor of Blockley to visit the king and the earl, and afterward returned thither.[604]

De Montfort now expressed to his eldest son Henry, who was with him, his assurance that he should die in battle on that day. His son entreated him to escape, and he by God's grace would sustain the shock of the battle. "Far be it from me," replied the earl, "to act in that manner; I, who am descended from such illustrious ancestors; I, who have never been used to flinch in battle, and who am now in the decline of life; the termination of which is fast approaching. But you will do well to avoid this dangerous conflict, that you perish not in the flower of your youth, but live to succeed your father and his noble race in feats of arms."[605] This amicable contest between the parent and the child reminds

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[603] William de Nangis, tom. v. in Nichols's Leicestershire, vol. i.

[604] MS. Laud, 529, folio 63; in Bodleian Collection.

[605] William de Nangis, in Nichols's Leicestershire, vol. i. page 207.

us of a similar scene between the Talbots, in the First Part of Henry the Sixth.[606]

The two armies drew up in a spacious field without the town. Prince Edward, who had acquired wisdom by his misfortune at Lewes, divided his army into two lines; himself leading the first, in one direction, and the earl of Gloucester commanding the second, so as to support the prince. De Montfort upon witnessing this disposition, is said to have exclaimed "By the arm of St. James they advance most wisely! But this they learned from me; it is not their own arrangement."[607] His own inferior force was compacted into a solid mass, the more effectually to withstand the line of the enemy. At this period, a remarkable storm, attended with unusual darkness, and accompanied by thunder and lightning described as most terrific, burst forth upon the combatants. The circumstance is particularly noticed by contemporaries, as presaging the direful termination of the contest: and storms of similar character are known to have occurred throughout England upon the same day.

When the tempest had subsided, which was at about two in the afternoon, the battle began. De Montfort's forces advanced with the cry of "Traitors! remember your overthrow at Lewes, and

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[606] *Talbot.*—O young John Talbot! I did send for thee,
To tutor thee in stratagems of war;
That Talbot's name might be in thee reviv'd,
When sapless age, and weak unable limbs,
Should bring thy father to his drooping chair.
But,—O malignant and ill-boding stars?—
Now thou art come unto a feast of death,
A terrible and unavoided danger:
Therefore, dear boy, mount on my swiftest horse?
And I'll direct thee how thou shalt escape
By sudden flight: come, dally not, begone.
John.—Is my name Talbot? and am I your son?
And shall I fly? O, if you love my mother,
Dishonour not her honourable name,
To make a bastard and a slave of me:
The world will say,—He is not Talbot's blood,
That basely fled, when noble Talbot stood.
—*Henry IV. Part* I. Act iv. Scene 5.

[607] Rishanger's Chronicle, edited by Halliwell, 4to. London, 1840, page 45.

know that we shall again prevail."[608] The struggle was arduous, and lasted till night. At an early period, Humphrey de Bohun with the Welch and all the foot, to the number of more than six thousand, suddenly fled, and were many of them drowned in the Avon, when pursued.[609] After this serious defection from the opposite side, Gloucester extended his line from the rear till both divisions wheeling round joined at the extremities. The baronial army being thus surrounded, De Montfort then compacted his troops into a circle, and in the centre of a band of mounted knights determinately withstood the attack: and now, in the thrilling lines of Michael Drayton, when describing the horrors of this dreadful fight:—

> "Shrill shouts, and deadly cries, each way the air do fill,
> And not a word was heard from either side but 'kill!'
> The father 'gainst the son, the brother 'gainst the brother,
> With gleaves, swords, bills, and pikes, were murdering one another.
> The full luxurious earth seems surfeited with blood,
> Whilst in his uncle's gore th' unnatural nephew stood;
> Whilst with their charged staves, the desperate horsemen meet,
> They hear their kinsmen groan under their horses' feet.
> Dead men, and weapons broke, do on the earth abound;
> The drums bedash'd with brains, do give a dismal sound."[610]

De Montfort's horse was at length slain under him, but still he continued determinedly fighting, though on foot, loudly refusing to surrender "to dogs and perjurers,"[611] till overborne by multitudes he fell. His son Henry then maintained the defence, till he was likewise slain, as were also the greater number who composed the baronial army. The victory on the part of the royalists was decisive.

The contest was marked by such peculiar ferocity, that it is distinguished on this account by contemporary writers. Robert of Gloucester, among others, terms it "the murder of Evesham, for

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[608] First uttered by sir Warren de Blasingbourne.—*Robert of Gloucester*, ed. Hearne, page 559.

[609] Rapin's England, vol. i. page 341, ed. 1743.

[610] "The Fatal Battle at Fertile Evsham," in Drayton's Polyolbion; Song the Twenty-second.

[611] Chron. Oxenede, cited in "The Barons' War," by W. H. Blaauw, esq. 4to. Lewes 1844, page 247.

battle it was not."[612] Vast numbers consequently fell: among whom, upon the barons' side, were the following nobles and knights. De Montfort, their general; Henry de Montfort, his son; Hugh le Despenser, chief justice of England; William de Mandeville; Ralph Basset; Walter de Crespigny; William of York; John de Beauchamp; Robert de Tregor; Thomas de Hestelel; Guy de Baliol; Roger de Soulis; Roger de Rowley; John de St. John; William de Valence; John de Inde; William Tressell; Gilbert Einesfield; Hugh de Hopville; William Devereux; William de Burmugham; Robert de Sepinges; Peter de Montfort; with other knights, amounting to one hundred and sixty; and a large number of youth of quality, not yet adorned with the belt of knighthood;[613] together with about four thousand men.[614] Stevens says that the bodies of several of those of quality were buried in the abbey church, before the high altar; among whom he names Henry Mountfort and Hugh le Dispenser.[615]

Among the prisoners from the same side, taken by the prince, were Guy de Montfort, Leicester's third son; Humphrey de Bohun, the younger; Baldwin Wake; John Fitzjohn; John de Vescy; Henry de Hastings, and Nicholas de Seagrave.[616] During the battle, or most probably in the general havoc that ensued, the king,—who for security was undistinguished by his attire—after being wounded in the shoulder, is said by all writers to have been saved from death by loudly exclaiming that he was the king,[617] and adding—according to Mr. Blaauw—"that he was too old to fight."[618] In this manner the prince became acquainted with his father's situation, and was enabled to secure his safety.[619]

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[612] "Suiche was the morthere of Eivesham; vor bataile non it was."—*Robert of Gloucester*, page 558.

[613] Chronicle by Th. Wykes.

[614] "Occisis ad hominū millia quator."—*Polyd. Vergil*, p. 312, ed. 1534. Drayton states that ten thousand were taken and slain upon both sides.—*Polyolbion*, pt. ii. p. 33.

[615] Additions to Dugdale's Monasticon, vol. i. page 459.

[616] Matthew Westminster, Flores Historiarum, p. 395.

[617] "Ipse rex percussus est in scapula clamavitque fortiter, ego sum Henricus de Wincestre rex vester, non occidatis me."—*MS. Bodl.* 712. fol. 122.

[618] Blaauw's Barons' War, page 250.

[619] The Annals of Waverley assert that as soon as Henry saw his son he joined him. Other writers say as stated in the text; adding that lord Adam de Montalt was the

The number of the slain upon the Prince's side is not distinctly given; though from the desperate resolution of the defeated force, we may judge it to have been considerable. Matthew of Westminster asserts that only one knight of distinction fell in the prince's army. The Evesham chronicle, in the Bodleian collection,[620] mentions only Hugh de Troia and Adam de Ridmark. Several writers —among whom may be mentioned Mons. Thierry, in his important History of the Norman Conquest—incline to the supposition that among the archers on De Montfort's side was the far-famed popular hero Robin Hood. But to us this does not appear to be warranted beyond possibility or conjecture.

The body of De Montfort was ignominiously dismembered on the field. A nearly contemporary manuscript,[621] has rudely represented the appearance of the mangled corpse. This, though nothing beyond the scratching of a modern school-boy, we had copied for insertion here; but Mr. Blaauw in his recently published work has in this illustration anticipated us. The hands and feet of the leader were sent to various parts, where his cause had been most favored. His head infamously disfigured, as detailed beneath,[622] was in that condition sent—incredible though it must appear in a more civilized age—to the wife of Roger de Mortimer,[623] as a token of personal revenge and party success.

The site of this important conflict is clearly ascertained, from contemporary description as well as local tradition, to have been

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person who upon hearing the exclamation spared the king, and that the Prince thus having heard his father's voice, ran up to him and committed him to the care of certain knights.—Vide *Nichols's Leicestershire,* vol. i. p. 208.

620 MS. Bodl. Oxon. Laud. 529.

621 Cottonian MS. Nero D ii. folio 176.

622 "Capud vero dicti comitis Leicestriæ, ut dicitur, abscisum fuit a corpore, et testiculi sui abscisi fuerunt et appensi ex utraque parte nasi sui, et ita missum fuit capud suum uxori domini Rogeri de Mortuo Mari, apud castrum de Wiggemore."—*MS. in Archives of London Corporation,* cited in Halliwell's Introduction to Rishanger's Chronicle.

623 "He was one of the eight lords marchers of Wales, who escaped after the battle of Lewes; and subsequently laid waste the demesne lands of the earl of Leicester in the march; after which De Montfort, aided by Llewellen prince of Wales, entered the castles of Hay and Hereford, and committed the lands and demesne lordships of De Mortimer to fire and depredation."—*Nichols's Leicestershire,* vol. i. page 185.

the summit of the eminence north of the town, at present called Green-hill; though at that time unenclosed, and till a comparatively recent period known as the East and West Fields.[624] The army of the prince having advanced toward the town along the present Alcester road was, we presume, marshalled northward, upon the bank adjoining the present turnpike; having Twyford at the left, Chadbury on the right, and the river in flank at each of those places. The forces of Leicester, as having marched from the town, would be stationed on the opposite platform, above the intermediate ravine of Battlewell; having the town and bridge in their rear, and the river upon three sides of them. Both armies being thus ranged on opposite banks, the shock of the charge may be considered to have been sustained in the hollow below; empurpling the very stream that oozes there, and changing its name to Battlewell. A few fragments of weapons and accoutrements have at different times been turned up hereabout from among the soil. Mr. Rudge has in his possession the lower part of a sword-sheath, some buckles, and a lion rampant or rather seiant, crowned, rearing an escutcheon between his paws. This is of brass or bronze, is about four inches in length, of good workmanship, and seems to have formed the handle of a misericord or dagger. In addition to a stone obelisk raised by Mr. Rudge upon a portion of the ground, commemorative of the battle, the same gentleman erected in 1842 an octagonal tower of stone with a machicolated parapet, after the style of Guy's tower at Warwick, which by an inscription above the entrance is devoted to the memory of the Earl of Leicester. We need scarcely add that this conspicuous object forms an ornamental as well as praiseworthy feature in the surrounding landscape.

The spot where De Montfort fell is indicated by the stream or spring above alluded to. An authority nearly contemporary, expressly states that in the place where he was slain there was then a fountain, whose waters restored the sick who washed in or drank of them.[625] And in another manuscript, written by a monk of Evesham, recounting the miracles of Symon de Montfort,[626] the

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[624] The Bodleian MS. Laud 529, gives "Smeldeston" as then the name of the spot. Another Chronicle, cited in Nichols's Leicestershire, i. p. 207, calls it "Elyn Hill."

[625] MS. Cotton. Cleopatra A i. fol. 109.

[626] Miracula Symonis De Montfort. MS. Cotton. Vespasian A vi.

same spring is styled "the Earl's well" and "the Martyr's fountain." Prince Edward commanded the bodies of the slain to be interred after the battle; and thus was the body of Leicester, or rather its trunk, buried in the choir of the abbey-church, immediately before the steps ascending to the high altar.[627] Here, at a later period, a mortuary chapel was erected round his tomb, as is clear from the authority already cited.[628] For though the corpse had been indignantly mutilated by the leaders on the royalists' side yet De Montfort, having been the brother-in-law of the king, the royal sanction permitted its interment in this distinguished situation; and Matthew of Paris further states that the king himself personally attended the funeral.[629] The following is also preserved, by the same writer, as the epitaph inscribed upon his tomb:

Nunc dantur fato, casuque cadunt iterato
Symone sublato, mars, Paris, atque Cato.

But the national veneration for their champion did not terminate with his burial. Although uncanonized by the pontiff, the English, lay and ecclesiastical, elevated De Montfort to the altitude of saint and martyr.[630] His tomb, like that of Becket in the previous century, became a centre to which the diseased and the enfeebled flocked from all quarters; and here kneeling at his sepulchre, by applying a fillet to their foreheads which had measured his remains,[631] their health and vigour were restored. Of the cures, 212 in number, recorded in the manuscript before cited as effected here and at the neighbouring spring, though some are evidently frivo-

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[627] "Ante magnum altare, ante gradum inferiorem."—*Annals of Waverley*, in *Blaaw*, page 256.

[628] "Stans *in choro* ubi sepultus fuerat Comes." "Dicebat se enim fuisse *in capella* comitis Simonis."—*Cases of Henry deacon of Bourton-upon-Trent, and of Henry de Pomery*—in *Miracula Symonis de Montfort*, ed. Halliwell, pp. 79 and 109.

[629] Nichols's Leicestershire, vol. i. page 107 b.

[630] Had his fall occurred but some few years earlier, this canonization might have been *canonically* secured. For prior to a decree of pope Alexander III. solemnly issued duriug the previous century, which reserved to himself and successors the sole right of saint-making, canonization had been practised by bishops in general for many centuries.—See *Tytler's Universal History*, vol. iv. page 157, London, 1839.

[631] *Ad comitem Simonem mensuratus*, is usually the phrase employed in the MS. The *mensuratus* being a cord or fillet wherewith the body or relics of a saint or eminently pious person had been measured; and which by application to the forehead of a diseased person was presumed to effect a cure.

lous, yet we cannot but presume that others did actually take place. If otherwise, we must impute falsehood to a multitude of individuals whose testimony, as there cited, we cannot in justice set aside. They, of course, referred such cures to the miraculous intervention of the departed; we, in these later days, attribute such result to a more healthy nervous influence diffused throughout the system by the excitement of belief and hope.[632]

We have previously remarked the intimate friendship and constant intercourse maintained between De Montfort and the learned bishop Grosseteste. In addition to this favorable trait in the earl's mental and moral character, it is gratifying to have further ascertained that he was likewise connected with another distinguished scholar of the age, the celebrated Adam de Marisco;[633] whom we find to have been a frequent inmate of the earl's family, and of whom, as well as Bp. Grosseteste, their extraordinary contemporary Roger Bacon has declared that they were the two most learned men in the world, and that they excelled all the rest of mankind both in divine and human knowledge.[634] With Marisco, the earl sustained a friendly correspondence for a long period: for among the Cotton manuscripts in the British Museum is still extant a copy of letters addressed to Leicester by De Marisco. The volume is a small quarto

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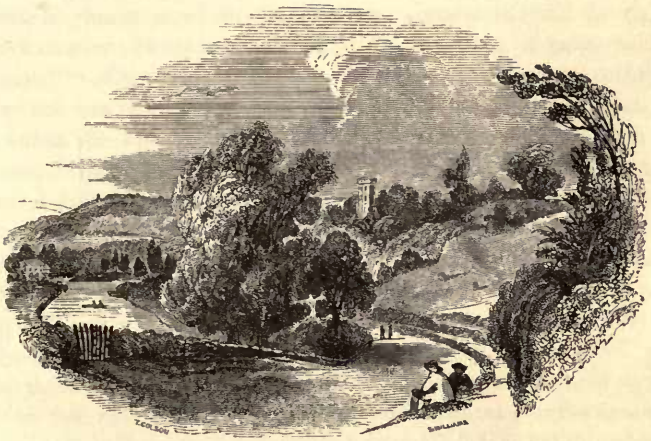
[632] A singular but instructive instance fell under the observation of sir Humphrey Davy, when early in life assisting Dr. Beddoes in his experiments on the inhalation of nitrous oxide. Dr. B. having inferred that the oxide must be a specific for palsy, a patient was selected for trial, and placed under the care of Davy. Previously to administering the gas, Davy inserted a small thermometer under the tongue of the patient, to ascertain the temperature. The paralytic man, wholly ignorant of the process to which he was to submit, but deeply impressed by Dr. Beddoes with the certainty of its success, no sooner felt the thermometer between his teeth than he concluded the talisman was in operation, and in a burst of enthusiasm declared that he already experienced the effects of its benign influence throughout his whole body. The opportunity was too tempting to be lost. Davy did nothing more; but desired his patient to return on the following day. The same ceremony was repeated, the same result followed, and at the end of a fortnight he was dismissed cured; no remedy of any kind except the thermometer having been used.—*Paris's Life of Davy*, p. 51.

[633] Adam de Marisco, or Adam of the Marsh, was native of Somersetshire. He was doctor of divinity, and archdeacon of Oxford in 1258; and was selected by Bp. Grosteste as his companion in a joint perusal and comparison of the Scriptures. He ultimately became a Franciscan friar in Worcester, and enriched the library there with many excellent manuscripts.—*Tanner's Notitia*, p. 9: see also *Fuller's Worthies*.

[634] Anglia Sacra, vol. ii. page 344.

on vellum, so scorched by a fire which some years ago occurred in Montague House, that it is at present almost dangerous to open its warped and brittle leaves. The Camden Society have, we believe, promised to publish the volume, but hitherto nothing further has appeared. The fact that De Montfort had attained to so distinguished an advancement in literature, at a period when many of his equals in rank could scarcely effect the signature of their names, may well concur to deepen our conviction that the public conduct of this great man proceeded mainly from a comprehensive estimate of the political necessities of the time; hereby enabling him to pursue a digested plan of reform, with a more extended foresight than has usually been allotted to him.



[The Battle Field and Leicester Tower.]

The career of Symon de Montfort has terminated. The once adjoining fabric that enshrined his venerated remains has been rudely overturned, and the tomb of the departed has commingled with its ruins. Thus have we been deprived the privilege of gazing upon the sculptured lineaments of his countenance, as depicted in the mail-clad effigy upon his grave; while, as we believe, no authentic portrait remains to acquaint us with his aspect. But his

undying fame endures beyond these perishable memorials. For the unflinching spirit with which he continued his prolonged agitation, and his abandonment of personal advantages for the general welfare of the people, are sufficient to pourtray the purport of his struggle, and to endear him to that class of the community whose present ameliorated condition is mainly attributable to that enlargement of the basis of our parliamentary representation, which, if not originating with him in theory, was yet by him most fully and pratically carried out. Throughout his career this fact is evident: that he struggled to confine the executive power within the limits of the law; and thus oblige the king in all his acts of state to proceed only with the concurrence of his lieges, in numbers suited to the occasion.

CHAPTER XVII.

MILITARY OCCURRENCES AT EVESHAM DURING THE COMMONWEALTH.

A GOVERNMENT by "commonwealth," as to the precise period of its commencement, may be regarded as originating with "that state of things, in which *the legislature* assumes to itself the right of fixing on the persons who shall fill situations of great public trust."[635] This event in English history was rendered unavoidable by the conduct of the executive department, in the person of Charles the First. That monarch, persisting in an imposition of taxes without parliamentary consent, at length demanded on the 2d of January 1642, that five individuals, members of the house of commons and resolute opponents of his unconstitutional impositions, should unconditionally be delivered into his hands: and this he peremptorily claimed, without any previous application, upon which the question might have become the subject of debate. Though the power of parliament had previously been invaded, yet by this open violation of its privilege, its independence was so far at an end, that until restored to its rightful control over the finances of the state, as well as indemnified from all future liability to capricious interference from the crown—it became impossible that legislation, in conjunction with the executive branch, could any longer proceed.

The sovereign, however—cradled amid those dazzling conceptions of the semi-deity of the kingly state, with which the flattery of courtiers had, in the instance of himself and father, inflated the natural vanity of the human mind—obstinately *evaded* for a while

[635] Godwin's History of the Commonwealth, vol. i.

any effectual adjustment of that serious misunderstanding, which his pertinacious adherence to the principles of absolute monarchy had caused. At length, by overt deed, he, on the 25th of August 1642, rendered finally irreparable that fearful breach which his conduct had occasioned between the executive and legislative departments of the state. Upon that day—after the issue of a proclamation which forbad his subjects to yield obedience to the two houses of parliament and required all men who could bear arms to repair to him—the king unfurled at Nottingham the standard of civil war. Ominous were the attendant circumstances; and touchingly does lord Clarendon thus conclude the fifth book of his important History.—"The standard was erected about six of the clock in the evening of a very stormy and tempestuous day. The king himself, with a small train, rode to the top of the castle-hill; Varney, the knight marshall, who was standard bearer, carrying the standard, which was then erected in that place with little other ceremony than the sound of drums and trumpets. Melancholy men observed many ill presages about that time. There was not one regiment of foot yet levied and brought thither; so that the trained-bands, which the sheriff had drawn together, was all the strength the king had for his person and the guard of the standard. There appeared no conflux of men in obedience to the proclamation; the arms and ammunition were not yet come from York, and a general sadness covered the whole town; and the king himself appeared more melancholy than he used to be. The standard itself was blown down the same night it had been set up, by a very strong and unruly wind; and could not be fixed again in a day or two, till the tempest was allayed. This was the melancholy state of the king's affairs, when the standard was set up."[636]

During this mournful era in the modern history of our country, when the rights of the subject could no longer be secured against the despotic policy of the crown, otherwise than by recourse to arms in their defence,—the town of Evesham stands forth in some degree conspicuous among the annals of the western war. The peculiar situation of the town, almost insulated by the river, together with its position on the road from Oxford to Worcester,—placed thus

[636] Clarendon's History of the Rebellion, ed. 8vo. Oxon. 1839.

between the cities most devoted to the king—rendered its early occupation by the royalists a matter of importance, without which communication between those cities, so needful to the party, could not be efficiently maintained. As early as July, 1642, we therefore find the town of Evesham fortified, and garrisoned by the king; Samuel Sandys, esq. by commission dated Doncaster 21st July, being then appointed governor.[637] This, as will afterward appear, was somewhat against the wishes of the inhabitants. In April, 1643, it was still in the hands of the royalists; prince Maurice being then ordered to retreat hither, after the encounter at Ripple Field, between Upton and Tewkesbury.[638]

In the following year—1644—the king, while marching from Oxford upon his expedition to the west, reached Evesham five days after the skirmish with Waller at Copredy Bridge near Banbury. The king on this occasion is said to have been lodged here in a spacious dwelling on the north side of Bridge-street, about that time the mansion of the Langstone family, one of whom had recently been member for the borough. The house has been since divided into tenements, two of which are at present occupied respectively by Mr. Josiah Pearce and Mr. Thomas New. Here the king appears to have remained two nights; and from hence the monarch must have addressed the following message to the lords and commons, with reference to the recent assumed defeat of Waller.

"To the Lords and Commons of Parliament assembled at Westminster:

"C. R.

"We being deeply sensible of the miseries and calamities of this our kingdom, and of the grievous sufferings of our poor subjects, do most earnestly desire that some expedient may be found out, which by the blessing of God may prevent the further effusion of blood, and restore the nation to peace; from the earnest and constant endeavouring of which, as no discouragement given us on the contrary part shall make us cease, so no success on ours shall ever divert us. For the effecting whereof, we are most ready and willing to condescend to all that shall be for the good of us and our people; whether by way of confirmation of what we have al-

[637] Nash, vol. ii. p. 223.

[638] Bibliotheca Gloucestrensis, p. xxxix.

ready granted, or of such further concession as shall be requisite to the giving a full assurance of the performance of all our most real professions concerning the maintenance of the true reformed protestant religion established in this kingdom, with due regard to the ease of tender consciences, the just privileges of parliament, and the liberty and propriety of the subject, according to the laws of the land; as also by granting a general pardon without, or with exceptions, as shall be thought fit. In order to which blessed peace, we do desire and propound to the lords and commons of parliament assembled at Westminster, That they appoint such, and so many persons as they shall think fit, sufficiently authorized by them, to attend us at our army, upon safe conduct to come and return, (which we do hereby grant), and conclude with us how the premises and all other things in question betwixt us and them may be fully settled: whereby all unhappy mistakings betwixt us and our people being removed, there may be a present cessation of arms, and as soon as may be, a total disbanding of all armies, the subject have his due, and we be restored to our rights. Wherein, if this our offer shall be accepted, there shall be nothing wanting on our part, which may make our people secure and happy.

"Given at our Court at Evesham, the fourth of July, 1644."[639]

This message failed of its effect, chiefly through informalities that tended to cast doubt upon the sincerity of its expression. The two houses received only a copy of the message from the king; and from the address employed in it they did not consider themselves recognized by the king as the parliament of England. On these grounds they suspected artifice and reservation, and therefore they resolved to take no notice of the message, and consequently returned no answer.[640]

Meanwhile, the king fearing lest Waller—who hung upon his rear and had already advanced his horse to Broadway—should pass the Avon toward Stratford, and thus intercept his march to Worcester, left Evesham on Thursday the 6th of July. But first, to cast all possible obstacle in Waller's course, he partially destroyed the outworks here, took with him the whole garrison with their

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[639] "Workes of King Charles the First," 12mo. Hague, 1648, pp. 78-9.

[640] Rapin's England, vol. ii. book 21.

ordnance and ammunition, and then breaking down the bridge, marched to Worcester upon the same day in safety.[641]

The townsmen thus suddenly relieved from a garrison of royal soldiery, and left consequently to themselves, immediately repaired the bridge in a temporary manner, to facilitate the entry of sir William Waller with the parliamentary force.[642] That general having taken Sudeley castle, now speedily approached hither; and entering the town, must have quartered here some days. For the king is said, by Clarendon, to have remained at Worcester and to have there refreshed his troops, till he learned that Waller had marched *from* Evesham with intention to besiege the city and thus shut up the king. Charles "with his little army" upon this removed to Bewdley, that he might keep the Severn between himself and the foe. Waller, surmising from this that the king was bent toward Shrewsbury and the northern parts, threw himself between Bewdley and the former town. Upon this, Charles suddenly returned to Worcester, and hastened thence to Evesham; that so with the Avon in his rear, he might join the remainder of his forces at Oxford. Our town, apparently ungarrisoned by Waller, presented no obstruction to this second entrance of the king, who ordered horse and foot to march through it without delay; then levying £200 on the inhabitants for their alacrity in receiving Waller, and requiring a thousand pair of shoes for the use of his jaded soldiers—which commands, "without any long pause, were submitted to and performed,"[643]—he again broke down the bridge, and so pursued his march. The king on this occasion appears to have left Evesham, for the second time, on or about July 17, 1644.

On the passing of "the self-denying ordinance" in 1645, the king was prevailed upon to march from Oxford, with intent to fall upon the Scotch army, before general Fairfax, who had succeeded lord Essex, should have completed that re-modelling of the parliamentary army which the above ordinance required: that thus he

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641 Rushworth's Historical Collections, vol. v. page 672.

642 "From hence [Sudeley Castle], Waller with great expedition marched to Evesham, where the evil inhabitants received him willingly; and had, as soon as the king left them, repaired their bridge over the Avon, to facilitate his coming to them; which he could not else so soon have done."—*Clarendon*, vol. ii. p. 379: Oxon, folio, 1704.

643 Clarendon.

might surprise the new general, before he could be ready to take the field. The king accordingly left Oxford in May, and passed through Chipping-Campden in his march. Here he found the princely mansion of the Noel family a blackened ruin. That noble structure—its vestiges still known as "Campden House"—having been *wantonly* burned; not by its owner,—as commonly stated, lest it should become a stronghold for the enemy,—but, as Clarendon has recorded, by sir Henry Bard, a tyrannical and licentious governor placed here by the adherents of the king.[644] That spacious mansion, of which sufficient traces yet mark its vast extent, had been planned and executed with magnificence; and was in the nights of winter hospitably surmounted with a beacon "the landmark of the traveller upon the dreary wolds." The king, withdrawing with him the garrison that had lately occupied Campden House, now marched to Evesham and once more garrisoned the town; here leaving colonel Legge in command, the king marched hence toward Chester; and thus completed his *third* visit to this town.

Meanwhile colonel Massey, governor of Gloucester under the parliament, having been reinforced with regiments of horse and foot, and thus enabled to undertake some important service, cast his eye upon Evesham, as "of greatest concernment in distressing Worcester and establishing the committee by order of parliament for that county." Wherefore with five hundred foot from Gloucester and two hundred from Warwick, beside a brigade of horse, the colonel advanced to Evesham. Here he formally summoned the governor, in the name of the king and parliament, "to make a speedy surrender of the garrison, with all persons, armes, ammunition, and provision; or upon refusal, to expect such justice as fire and sword would inflict." To this the governor undauntedly replied, "You are hereby answered in the name of his majesty, that this garrison, which I am entrusted to keep, I will defend so long as I can, with the men, arms, and ammunition therein; being nothing terrified by your summons."[645]

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[644] Speaking of the garrison here, the historian employs these words:—"Which had brought no other benefit to the publick, than the enriching the licentious governor thereof [sir Henry Bard]; who exercised an illimited tyranny over the whole country; and took his leave of it in *wantonly burning* the noble structure where he had too long inhabited."—*Clarendon*, book ix.

Upon this, colonel Massey resolved to storm the town, by attacking the fortifications in six places at once. The side looking toward Worcester was to be assailed in five places, and a simultaneous charge was to be made at the bridge, from the Bengeworth side. A hundred horse were in the meantime dispatched, to prevent any succour from Worcester during the night. All being thus in readiness, the signal was given at break of day. The colonel with both horse and foot then commenced a furious attack upon the town; they "broke up the palisadoes, filled the grafts with fagots," and having made sundry breaches, they at length gained possession of the parapet. The musqueteers now playing furiously upon them from the town, the assailants were suddenly driven back; but recovering the shelter of the ditch, they in their turn drove back the garrison, mounted the wall "by scaling ladders, and stood firm upon the breast works." From hence some rushed into the town, but being driven back to the rampart, they there for a time kept up a steady fire. The garrison now charged furiously upon them with their horse, so that the assailants would have been again repelled, had not their party, having effected a narrow breach, rushed in with their horse. This reinforcement was increased by meeting the other detachment which had forced a passage near the bridge: "and now," in the words of the contemporary account already cited, "they tumble over the works on all sides, and charge up both horse and foot with equal gallantry, bear down the enemy and master the garrison; after a fiery conflict maintained for almost an hour with much resolution by the enemy." The number of prisoners taken was 550, among whom were seventy officers. The presumed site of the fortifications having been long cultivated as garden-ground, there are at present no vestiges discernible in the direction alluded to. Two stone shot, apparently six-pounders, were, however, dug up, we are informed, in that part called "the sheephouse close," in raising sand, a few years ago.

With regard to the whole encounter, the authority alluded to again remarks, that "the gentlemen and officers who charged with [colonel Massey] the governor [of Gloucester], acted their parts with

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[645] Corbet's Historicall Relation of the Military Government of Gloucester: London, 1645; in Bibliotheca Gloucestrensis, page 147-8.

courage, and spurred on the valour of the souldiers; the reserve of foot, devided into three bodies to second the assaylants, performed as became resolved men: and the whole action was complete according to the idea and platform of the designe."[646] We also find the important service of thus wresting Evesham from the royalists, referred to shortly after by one engaged in recounting the services of colonel Massey, in vindication of his character. "Who," he asks, "was he that went out from the command at Gloucester in such a blaze, to adde glory unto conquest, and crown his actions with a never-dying honour, when he took the strong-garrisoned Evesham, in a storme of fire and leaden haile; the loss whereof did make a king shed tears?—Was it not Massey?"[647]

By the storming of Evesham, the whole country from Bristol to the borders of Worcestershire, excepting Berkeley, was subdued to the parliament; and an effectual bar was raised to any further communication between Worcester and the court at Oxford. The house of commons was, therefore, not unmindful of these advantages. On the 29th of May, a letter of thanks was ordered to be addressed by the speaker to colonel Massey and the rest of the officers employed in the taking of Evesham, "in acknowledgment of their great service."[648] On the same day measures were taken to retain secure possession of the town, by an order that "six guns and five hundred musquets be forthwith furnished out of the publick stores, for the service of the garrison of Evesham newly reduced." On the 18th of July following, colonel Rouse was appointed governor of the town, by authority of parliament; and upon his decease, which took place in the following year, major William Dingley was appointed his successor.[649] On the 21st of July 1645, a further supply of five hundred musquets and bandeliers was ordered by the parliament to be sent to the garrison of Evesham: and on the 1st of August following, the house further ordered "that the committee of the army in which Mr. Scawen presides, be desired to lend the committee of Worcestershire five hundred musquets," for the service of the garrison at Evesham.

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[646] Corbet's Historicall Relation, page 148.

[647] "Virtue and Valour Vindicated."—London, 1647.

[648] Journals of the House of Commons, vol. i. page 156.

[649] Mercurius Britannicus, No. xxiii.

The king, who had been quartered at Oxford during the winter, still purposed, notwithstanding his recent losses, to commence a fresh campaign with the spring of 1645. For this purpose, he in the middle of March commanded lord Astley to gather troops out of the few garrisons still in the royal hands, and to concentrate his force at Worcester. From that city he was then to march 2000 strong toward Oxford; to be met upon the road thither by the king with 1500 horse and foot. But all this could not be planned without the knowledge of the parliamentary army. A sufficient force was therefore detached for the purpose from the garrisons of Gloucester, Warwick, and Evesham; and in our immediate neighbourhood they laid in wait for lord Astley's forces, during several days. That nobleman having commenced his march, had crossed the Avon, and evading Evesham bent his course toward Stow; in the vain presumption that he might thus escape his foes. But the parliamentary army seeing him ascend Broadway hill, followed him throughout the night, and on the following day totally routed his followers, taking himself prisoner, with nearly all the other officers who survived.

By this result the hopes of the royalists were finally annulled; and thus in the vicinity of Evesham terminated all further struggle between the two contending parties in the field. With reference to that struggle, which had now continued during nearly four years, "it was an appeal to the sword for the settlement of disputed claims;" and, it is thus particularly worthy of remark that, "though the contest was spiritedly carried on, there was honorable abstinence from needless mischief by both parties; as if they felt conscious that they had been and might again be friends. Apart from the actual scene of warfare, the general occupations of the industrious were not interrupted. The land was tilled; manufacturers and handicraftsmen plied their vocation; justice was administered by the judges and magistrates; marriages and funerals were solemnised by the clergy: all, in short, that constituted the order and economy of society, pursued the wonted routine. The strife was too limited in time, the proportion of the population engaged in actual warfare too small, and the sense of justice and humanity, growing out of a considerably advanced civilisation, too general, for lasting or irreparable damage to be inflicted." [650]

Of the principal families in the county who identified themselves with this contention, Dr. Nash has given the following names among those on the king's side.—*Lords*, Shrewsbury and Windsor, Bp. Prideaux, Littleton of Frankley, Sandys of Ombersley; *Sirs*, William Russell of Strensham, Rowland Berkeley of Cotheridge, John Winford of Astley, John Barrett of Droitwich, John Pakington and Ralph Clare: *Esquires*, Henry Ingram of Earlscourt, Henry Bromley of Holt, Thomas Hornyold of Blackmore Park, Robert Wylde of the Commanders, John Cockes of Crowle, Thomas Acton of Burton, Henry Townsend of Elmley Lovet, Edward Sheldon of Beoly, Joseph Walsh of Abberley, William Habingdon of Hinlip, ——— Russell of Little Malvern, Edward Penel of Woodson, and Anthony Langstone of Sedgborough; *Majors*, Thomas Wilde and John Ingram; *Colonels*, Herbert, and Prior of Pedmore.—On the parliament side were sir Thomas Rouse of Rouse Lench, Nicholas Lechmere of Hanley, Daniel Dobyns of Kidderminster, col. William Lygon of Madresfield, Richard Salway of Stamford Court, Thomas Cookes of Bentley, Edward Pytts of Kyre, col. William Dingley of Charlton, governor of Evesham under the parliament, John Edgiock of Feckenham, Thomas Milward of Alvechurch, William Moore of Alvechurch, major Edward Smith, William Colins of King's Norton, William Younge of Evesham, George Symonds of White Lady Aston, John Fownes of Dodford, John Giles of Astley, and "very many others of all ranks and degrees."[651]

As for the ill-fated monarch himself,—unable after this defeat to appear again in arms, yet still evading every attempt at adjustment, from the opposing side, his gloomy career soon sadly closed. On the 30th of January 1649, upon a public scaffold fronting his own banquet-hall, the stroke of the headsman terminated his misfortunes, his errors, and his life. It falls not within the humble province of a local historian, to enter upon the casuistical question, either of the justice of Charles's sentence, or of the indefensibility of his death. We, therefore, content ourselves with directing the attention of the inquiring reader to the matured and admirably-expressed opinion of Charles James Fox, as presented in the introductory portion of his History of the reign of James the Second.

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[650] Wade's Hist. Mid. and Work. Classes, cap. 8.

[651] Nash, Introd. p. 5.

CHAPTER XVIII.

NAVIGATION—BRIDGES—MILITARY STATIONS—AND ROADS.

THAT gently meandering stream that at once irrigates and adorns the Vale of Evesham,—that stream which as having wended round the birth-place of 'Imagination's Child' floats onward a connecting link between the dull realities of earth and the fairy land of vision,—that stream from such association familiar in our ears as "the Shaksperian Avon"—rises from an humble spring in the village of Naseby. From that lowly origin silently augmenting, it bends its course toward Warwick; there steals beneath the walls of that baronial fortress and glides to Stratford—a landscape-feature, rather than an important stream. But thence made navigable by art, fed likewise along its course by tributary streams, it flows along through Bidford, Evesham, and Pershore; then, bending toward the base of Bredon-hill, it reaches Tewkesbury; where, embosomed in the Severn, the intermingling waters are swiftly borne along—till mutually engulphed within "the tumbling billows of the main." The river in its downward course from Stratford passes through a rich tract of country, gleaming with peaceful scenery, studded here and there with antique villages and interspersed with calm and solitary nooks. Having passed beneath the elevated church and burial-ground at Bidford, it receives the added waters of the Arrow, and sweeps with augmented current round the abrupt and bosky eminence, known as Marl-cliff Hill. From hence the picture is so fresh, so novel, so exhilarating,—that seen upon a sunny-morn, as we first gazed upon it in the summer of 1836, we people it with the great Poet's fays and fairies and laughter-loving elves, and treasure it within, as a scene to be remembered and called up anew throughout all after-years.

A little further on, the river enters Worcestershire at the village of Cleeve Prior. Hence, under a charming terrace raised by nature's hand, it winds its sinuous track through the heart of the rich Vale of Evesham; chequered only by the mills upon its bosom, and here and there a church-tower that peers beyond its banks. Waving willows of silver tint now sweep almost continuously above its waters, meads of rich pasture lie level with its verge, reeds and sedges of varied hue rustle on its banks, and wild-flowers glowing with pink and purple and blue and crimson, sparkle along its brink, while the golden-chaliced water-lily floats gracefully upon the bosom of the stream. And then, when we near the town and look from the abbey deer-park now the Park Farm, upon the expanse below and beyond,—pasture and woodland, dale and hill are grouped before us, mingling and concentrating in one rich portion at our very feet; through which the river twines and sparkles at every turn,—till the solemn tower of the monastery, softened by the distance, rises beacon-like upon the sight and terminates the prospect.

[The River, from the Abbey Deer-park.]

From a manuscript said to be in the possession of the family of the present earl, we learn that Richard Beauchamp earl of War-

wick, in the reign of Henry IV. "mynded to have made passage for boattes from Tewkesbury to Warwick, for transporting of merchaintdise, for the advancement of Warwick.[652]" But although the navigation of this river had also attracted the attention of George duke of Clarence, the same king's brother,[653]—yet prior to the year 1635, we are certain that the appearance of the river *here* was wholly different from that it now presents. Then a narrow, sluggish stream, deep or shallow by starts and turns, it is said never to have borne a boat of any burden, till the enterprise of a single individual commenced the arduous task of rendering it a navigable stream.[654]

This gentleman was Mr. William Sandys, of Fladbury, who having obtained a grant from Charles the First, at once commenced the execution of his design to make the river navigable from Tewkesbury to Stratford-upon-Avon; a line of fifty miles. From various orders in council, it appears that much opposition was made by the landowners along the banks; which was probably augmented by the fact that the royal grant to Mr. Sandys was regarded as an usurpation of the authority of parliament, and that he himself was thus regarded as a monopolist. In unison with this opinion, a commission was appointed by order of council, March 9th 1636, to see that all individuals interested in lands, mills, or other property upon the stream, were adequately remunerated.[655] The power with which this commission was entrusted was extensive. Sir William Russell of Strensham, with Mr. Richard Dowdeswell of Tewkesbury, his solicitor, were commanded to appear before the

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[652] Cited in Bennett's History of Tewkesbury, 8vo. page 302.

[653] "George duke of Clarence brother to king Edward had thought to have brought Avon aboute the towne [Tewkesbury] and to have enlarged the town."—*Leland's Itinerary*, tom. vi. 91. ed. 1769.

[654] "Account of the Water-works of Mr. William Sandys,"—by Mrs. Elstob, of Evesham, the celebrated Saxonist.—Vide *Nash*, vol. i. page 446.

[655] The commissioners were—Viscount Campden, lord Windsor, lord Spencer, lord Brooke, lord Craven, Thomas Coventry, esq. *Sirs*, Robert Barkley, John Bridgman, Richard Tracy, Thomas Purkering, Walter Devereux, William Russell, Edward Littleton, Thomas Lucie, James Pitt, John Rous, Robert Lee, Robert Peyto, Edward Underhill, Robert Tracy, and Robert Cooke: William Smith, D.D.; Mr. Serjeant Ward: William Courteen, William Sheldon, Richard Cresheld, Walter Overbury, Humphrey Salway, William Barkley, and John Keyte, *Esquires*.

board, for declining to acquiesce in the decision of the commissioners and for procuring subscriptions against the work; and Mr. Edward Pratt of Pershore, was committed to the Fleet, as being the principal agent employed by sir William in obtaining those subscriptions. The report furnished by the commission was also confirmed by a second order in council, dated 27th November, 1636.

Mr. Sandys commenced the work in March 1635, purchasing meadow-ground and other lands; "carrying on his work through foul and low bottoms, especially through the deep vale of Evesham, and cutting in some places a new course through the firm land, beside the old main channel." Thus he proceeded during some years, till he had expended the, at that period, enormous sum of twenty thousand pounds. Having by this, much impaired his fortune, he at length, according to Mrs. Elstob's account, resigned the undertaking to parliament, "to do what more they thought fit therein." It was his own intention, had he not been so often foiled, not to have concluded the work at Stratford, but to have carried it on as far as Warwick. However he did but partially complete the navigation between Tewkesbury and Evesham. Dr. Nash's account, which has been often copied, states it differently, but is in this particular incorrect, as we shall shortly prove. In 1640 so much of the work seems to have been effected, that Mr. Sandys then obtained letters patent from Charles the First enabling him to exact an additional toll of 12*d.* per chaldron on coals. For this irregular procedure, as noticed on page 283, he was declared, "not fit to sit as a member" in the house of commons. Prior to such grant, the corporation of Tewkesbury exacted a tonnage upon all goods entering the Avon: from whence they are said to have derived an income of £200 yearly.[656]

During the protectorate, William Say, esq.—subsequently one of the judges appointed for the trial of the king, and one whose signature appears upon the warrant for his execution—undertook to complete what Mr. Sandys had left undone. This gentleman, to avoid disputes, purchased from the landowners a liberty to erect sluices upon the stream, to raise embankments and to cut new channels where needed. By this means Mr. Say completed the

[656] See Bennett's History of Tewkesbury: note on page 303.

entire navigation from Tewkesbury to Evesham, which Mr. Sandys had only partially effected. At the restoration of Charles the Second, Mr. Say was attainted. Upon this all his posessessions, including his property in this river, became forfeited to the king; who granted the same to trustees, for the benefit of his brother, James duke of York; from whom Thomas lord Windsor purchased the property in 1664.

In the 14th of Charles II. an act passed for making navigable the Stower and Salwarp, and the rivers and brooks running into the same; in which was contained a clause, that the rivers already made navigable by Mr. Sandys—Mr. Say's name being studiously omitted—should be preserved; and that all differences respecting an extension of the navigation, should be adjusted by commissioners named. In virtue of this clause, lord Windsor, by articles dated 7th November, 1664, agreed with Andrew Yarrenton, Richard Turton, Richard Bartlett, and Nicholas Baker, that they, at their own cost, should, on or before the 8th of September, 1666, make this river navigable from Evesham to the town of Stratford. This they fully effected, by constructing six sluices upon the stream with the necessary embankments; completing with those originally constructed by Mr. Sandys and Mr. Say, a total of fourteen locks and weirs between Stratford and the Severn. Lord Windsor, to remunerate Mr. Yarrenton and his colleagues for this exertion, granted to them and their heirs two-thirds of the navigation and of the profits thereof, to and fro, between the aforesaid towns of Evesham and Stratford; during the term of one thousand years.

Lord Windsor, then earl of Plymouth, having subsequently repurchased a portion of the shares of Mr. Yarrenton and the others, became possessed of seven-fifteenths of the upper navigation,—that from Evesham to Stratford,—which he gave to his youngest son, the hon. Andrews Windsor. His right to the lower navigation,—that from Evesham to the Severn,—he settled on his second son, then styled lord Windsor, but ultimately created baron Mountjoy in the reign of Queen Anne. The tolls demanded for navigating the river were, up to the year 1750, fixed by the proprietors of the navigation. In that year,—24th George II.—an act was passed for regulating the navigation of the Avon, and for ascertaining the rates of water-carriage thereon. At this time the

lower navigation was the sole property of Thomas lord Windsor, who had leased the same: and of the upper navigation seven shares pertained to the hon. Andrews Windsor, which afterward became vested in William Fitzthomas, esq. In the year 1760, George Perrott, esq. afterward a baron of the Exchequer, purchased out of chancery the lower navigation; the whole of which is now the property of his descendant, Edmund Thomas Perrott, esq. Of the upper navigation, the entire shares became vested in 1813, by various purchases in William James, esq.; and at present they are the property of the Rev. John Ellis; Richard Gresley, Timothy Smith, John Greaves, Abraham Peyton, J. W. Whateley, and R. Matty, esquires.

By the completion of Mr. Sandys' spirited enterprise, which renders an otherwise impassable stream navigable throughout a course of fifty miles, this town and vale are well supplied with coals, from lack of which we find that the inhabitants were previously much distressed; and water communication is at the same time ensured, by aid of the river Severn and canals, with every part of the kingdom. Convenient quays and wharfs near Evesham bridge, also afford commodious landing and warehouse-room for goods of every description. Before quitting this subject it is proper to observe that the first attempt toward propelling vessels by steam-power, was made upon the Avon, at Evesham, by Mr. Jonathan Hulls, of Campden; who, in December 1736, obtained a patent for his invention, and in the following year published a description of his steam-boat, copies of which are now become extremely rare. The title of this publication is "a description and draught of a new-invented machine, for carrying vessels or ships out of or into any harbour, port or river, against wind and tide, or in a calm: by Jonathan Hulls."[657] The ridicule with which this attempt was greeted here at the time, is traditionally preserved in snatches of a doggerel lampoon uttered at the period. What a lesson is thus furnished to those who have small faith in man's inventiveness, by the fact that this "machine," so sneered at, now wings its steady way through ocean, crossing the Atlantic in little better than a week!

The river abounds with fish; among which are roach, dace,

[657] London: published 1737. Vide Edinburgh Philosophical Journal, vol. ix. p. 274.

bleak, bream, carp, tench, chub, perch, trout, eels and pike, and occasionally the loche. The tench, trout, and carp are rare, though some large ones are occasionally taken. The eels average from two to four pounds, but are occasionally met with at almost six pounds weight. Pike also are very fine; often occurring from twelve to fifteen pounds, and sometimes even twenty-one pounds in weight. The eels are of two distinct kinds, the silver and yellow eel, and, according to Dr. Hastings, there is another description sometimes met with, called frog-mouthed eels by the fishermen, from the extraordinary width of the mouth.[658] The water being in weight and hardness nearly equal to that from springs, would sufficiently account for the non-appearance of other kinds of fish in the stream, even were its waters not cut off from the Severn by weirs, as is at present the case. Before that period, it would appear that an inhabitant of ocean occasionally strayed within its banks: for in an ancient chronicle preserved in Leland, it is recorded that during the abbacy of Osward—circ. A. D. 960—a seal was taken in the river, not far from the bridge;[659] before which none had ever been seen there. In the time of Edward the Third, we discover by a grant of market-tolls here from that monarch, that Severn fish, including salmon both fresh and salt, as also lampreys, were commonly exposed for sale in the town.[660]

The river shells are numerous, and though thinner in substance, strongly resemble those of the sea. The *meritæ*—qu. neritæ—are stated by Dr. Hastings to be almost exact fac-similes of those found on the West Indian coast.[661] And lastly, while noticing the inmates of its water, and the relics cast upon its strand, we may add that "the swan of Avon" appears to have been in earlier time a *literal* denizen of its stream. Nurtured here, apparently, during the continuance of the monastery to furnish what was then considered a sumptuous dish for the table of baronial visitors, we find the stately bird not overlooked in the final schedule of the abbey pos-

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[658] Hastings's Illustrations of the Natural History of Worcestershire, 8vo. p. 135.

[659] "Phoca piscis magnus in Avena flu: monasterio vicino capt."—*Lelandi Collectanea*, tom. i. p. 300.

[660] "Salmone frisco vel salito, lampreda vendita."—Grant of 1st Edward III. tested at Nottingham: preserved in the Tower.

[661] Illustrations of the Natural History of Worcestershire, page 135.

sessions; where the "Rent of the Swannery" is given among other items connected with the "scite of the monastery."[662]

Bridges.—The Avon is crossed at Evesham by a long stone bridge of eight irregular arches: a proof that before the improvement of the channel, and in the absence of agricultural draining, a vast body of water must formerly have rushed through after heavy rains. An entry in one of the conventual chronicles, preserved in Leland, corroborates the fact; it being there recorded, that in 1374 this bridge was dreadfully injured by a flood. The structure doubtless originated with the inmates of the monastery it once adjoined; mention being made of it—as shown on page 103—as early as 1159. But it left not the hands of those ecclesiastical pontifects the architectural abortion we now behold. Neither has its present irregular appearance been caused by the slow-moving finger of time. Two pointed arches on the Bengeworth side remain to indicate the original character of the pile; much of which was doubtless impaired at the time when the river became navigable: since its arches had not been constructed for the admission of large boats. But its severest injury is attributable to the ruthless havoc of civil war. Its arches in 1644 having been broken by the royal troops, it stood for eighteen years a dreary monument of those doleful times; till in 1662 an act was passed, setting forth the cause of its decay, and providing for its repair—under the peculiar circumstances of its destruction, and for that occasion alone—at the county's expense.

After this reparation, the structure was uniformly repaired by the corporate body, as is shewn by their accounts down to the 15th December, 1732; but prior to the dissolution of the monastery, it seems to have been under the care of that establishment. The latter fact appears from the grant of a toll during three years, given by Henry the Third to the abbot and convent toward its repair;[663] as also from the second grant of conventual property, made to sir Philip Hoby by Henry VIII.[664] But upon the corpo-

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[662] See Roll in Augmentation Office: given in Appendix, No. IX.

[663] 40th Henry III. (A.D. 1255-6): among the Records in the Tower.

[664] And the said king for himself his heirs and successors, will keep indemnified the said sir Philip Hobby his heirs and assigns, against himself and against all others, from all manner of coredys, rents, fees, &c. except from the rents and services before

ration subsequently receiving the tolls, the repairs at the same time fell upon them, together with the occasional profits. Under the local Improvement Act, this bridge is now placed under the care of the town commissioners; the expenses being defrayed by assessment on the owners and occupiers of property within the borough.

[The Bridge, on the Bengeworth side.]

The present roadway of this bridge, however it may have once been suited to the transit of mere pack-horses with their burthens, is wholly unfitted for modern traffic; being much too narrow to be safe: indeed it has become absolutely dangerous; for one life has recently been suddenly and shockingly sacrificed upon it, from this sole cause. But the structure is at length become also insecure, as well as dangerous. The attention of the commissioners was directed to this subject in 1843; and after personal examination, they deemed it right to call in professional persons to pass opinions upon its state. The result more than realized their fears, and

reserved to the king, and except from leases made, and except from 64*s.* granted for the office of bailiff and collector of rents in the parish of St. Lawrence, and except from the like sum for similar collection in the parish of All-saints,—"and except from the reparation of the bridge of Evesham aforesaid."—*Second Grant to sir Philip Hoby.*

proved that without very extensive repairs the fabric must continue liable to sudden injury, by the falling in of some or other of its arches. Plans for erecting a more convenient structure upon the site were submitted to a committee appointed at a town's-meeting in December 1843, as also a very feasible and economical method of widening the roadway, and at the same time repairing and retaining the present ancient fabric.

There was anciently a second bridge across the Avon, higher up the stream; which is noticed in the charter, among the boundaries of the borough. It stood at the foot of Twyford-lane, leading from Battlewell to Offenham, upon the then Worcester and London road; and is described by Leland, in the reign of Henry VIII. as "a narrow stone bridge for footmen."[665] But of this structure only some vestiges of the foundations are occasionally seen.

Stations and Roads.—Of the four great Roman ways that crossed this island, the Ryknield Street—or highway from the mouth of the Tyne at the north-east, to *Menapia* or St. David's at the south-west—is considered by most competent writers to have passed near this town. The route of this road, according to Leman,[666]—who, by studious comparison of ancient writers and actual survey of existing trackways, is well qualified to decide—was by Chester-le-street, Boroughbridge, Chesterfield, Sutton Coldfield, Birmingham, Alcester, across the Avon at Bidford, and a little to the east of Evesham; hence, leaving Tewkesbury on the right, through Gloucester, Chepstow, Abergavenny, and Caermarthen. At Bidford an ancient cross-road, called "Buggilde-stret" in the charter of Kenred and Offa, dated A. D. 709, communicated with the Fosse-way or Roman road still entire from Leicester to Bath. The course of the "Buckle-street," for so it is now termed, is still clearly seen from Bidford to Honeybourne-bridge, through Weston-field, across the new Campden road, by Saintbury, to the top of Willersey-hill; whence, crossing the London road east of the Fish on Broadway-hill, it appears to have joined the Fosse-way, at or near Stow. Mr. Gale, in an essay written about the year 1760,[667] asserts that in his time, the Ryknield-street was hardly lost through the

[665] Commentary on Richard of Cirencester, pp. 113, 14.

[666] Itinerary, vol. iv. part i. page 65, edition 1764.

whole county of Warwick; and that from Bidford it passed by South Littleton and Hinton, near Ashton under Bredon-hill; thence east of Tewkesbury, through Norton, to Gloucester. That portion constructed from Birmingham to Alcester may be regarded as yet entire; and part of it is still distinguished by the ancient name of "the portway." At Cleeve Prior, being the portion between Bidford and Littleton, the road may be clearly traced along the verge of the wide-spread terrace that slopes upward from the river's brink and expands into a level plain of greensward from Marl Cleeve to Offenham, including Cleeve Prior and the three Littletons in its extent. This road has now the appearance of a mere bridle-path some six feet in width: but an ancient tumulus retains its way-side position at the highest point, and is now surmounted by the shattered basis of, apparently, a road-side cross of the thirteenth century. In 1824 human bones were exhumed at the base of this ancient tumulus, in deepening the bye-path toward the mill. Previous to this occurrence a labourer, named Sheppey, had in October, 1811, discovered in the vicinity of this road, between Cleeve Prior and Middle Littleton, two urns containing Roman coins in extraordinary preservation. One was filled with silver coins of the reigns of Constantius, Julian, Valentinian, Gratian, and Theodosius; and the other with gold of Valentinian, Gratian, Valentinian, jun. and Theodosius. The urn containing the gold coins held about two quarts, and the other about a gallon. It is not improbable but that both might have been secreted by some Roman commander, prior to an encounter, in which his forces were routed and himself slain. A goat's head found four or five yards from the urns, in a cavity made among the stone, has been regarded as indicating a votive offering made upon depositing the coins.[668]

In the Itinerary of Richard of Cirencester, supposed to have been formed from fragments left by one of the Roman generals, the station called *Ad Antonam*, is equi-distant between *Glebon Colonia*, Gloucester, and *Alauna*, Alcester, it being set down at fifteen miles

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[667] "Essay toward the Recovery of the Courses of the four great Roman Ways." Inserted by Hearne in Leland's Itinerary, vol. vi. ed. 1764.

[668] Allies on the Ancient British, Roman, and Saxon Antiquities of Worcestershire, 8vo. 1840, page 39.

from each. Now as both the two latter stations are seated on this line, and as Bredon-hill occupies a midway position between them, how happens it that the lost, but certainly intermediate station on the Avon, *Ad Antonam*, has not been sought for in the vicinity of the encampments upon Bredon-hill? That eminence, skirted by the Avon on the north and by the Ryknield-street upon the south, corresponding likewise, in its relative position between Alcester and Gloucester, with the Itinerary of Richard,[669] and so perfectly commanding the entire country between those towns as to render it the most important military position in the vale,—compels us to regard it as necessarily adjoining the station of which we write —the Ad Antonam of the Roman conquerors.

The camps upon the hill are two. The first occurs at Conderton, in the parish of Overbury. This is an oval, 165 yards long, and 71 yards wide. The second and most important, is in the parish of Kemerton. This is of somewhat triangular shape, being accommodated to the precipitous defences of the hill toward the north and west, and there further strengthened by a wall. The intermediate side is guarded by two parallel trenches, each sixty feet wide;[670] not drawn lineally across the interval, but artificially distended in three salient angles; as though constructed under the eye of an experienced military commander.[671] The clear area within is nearly twenty-two acres; in which, according to Dr. Nash, weapons of rude workmanship have been exhumed. The last circumstance, if tending to prove the work originally British, by no means controverts the supposition that so important a post was subsequently occupied by Ostorius Scapula, the conqueror of Caractacus; when, according to Tacitus, that general, A.D. 52, extended a chain of forts between the rivers Avon and Severn, to keep the Britons in check.[672]

Finally: whether *Evesham*, as Dr. Stukeley has supposed,[673]

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[669] See Iter. xiv. Richard de Cirencester, in Stukeley's Itinerarium Curiosum, folio, tom. ii. p. 97.

[670] See it engraved in Nash's Worcestershire, vol. ii. page 234.

[671] Leo Africanus condemns round camps, because thus, the enemy could attack them in an united body; whereas, angles compelled a division of the assailants; and thus the force of the assault was weakened. These angles, if acute, were thought to weaken resistance against the enemy; by affording him protection on the sides.—See *Fosbroke's Encyclopædia of Antiquities*, page 503.

could have been the station respecting which we now inquire, let the discrepancy in relative distances together with the facts recited in the first chapter of this volume, decide. That it was near Sedgeberrow, other writers have presumed. But, if so, it *must* have approached toward Bredon-hill; for, unconnected with that commanding elevation, it surely could not in such a locality have been maintained. The hill itself abounds with copious and unfailing springs; and a vast number of coins, of the higher as well as lower empire, have during late years been ploughed up there. Among such of these as the writer has hitherto met with, occur those of Vespasian, Severus, Gallienus, Constantine, and Valentinian. It is also worthy of remark, as regards this military position, that on the edge of the Kemerton camp, by the slipping of a portion of the soil, about fifty years ago, a quantity of wheat in admirable preservation and highly parched, was exposed to view. Having already referred to Sedgeberrow, about two miles east of this hill, it is well to add, that upon deepening the channel of the brook there, about eighteen years ago, two oval-shaped spear-heads of bronze, of most perfect workmanship, with portions of their staves attached, were found stuck into the bank, at a depth of several feet; pieces of Roman defensive armour were likewise found; together with the sharpened half of a celt, formed of basalt, and a portion of another: as though the rude Briton and the polished Roman had fallen here together in the death-struggle, each leaving his weapon to tell of the event. These fragments, with part of a steel band, apparently from the shoulder, and retaining the bronze rivets that attached it to the cuirass, are preserved by the Rev. William Pashley. Several very large antlers were dug out at the same time; but, strange to say, no pains were taken to preserve these memorials of the wild denizens of our ancient forests.

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672 "Ostorius detrahere arma suspectis, cinctosque castris Antonam et Sabrinam fluvios cohibere paret."—*Tacitus: Annals*, bk. xii. § xxxi. Camden's arbitrary alteration of this passage from *Antona* to *Aufona*, [Brit. p. 515] bolstered up by his subsequent infliction of the name *Avon* upon the *Nen*,—by which, even on his own admission, that river is never called,—are equally indefensible. For, as Dr. Stukeley has observed, it could not possibly be the Nyne, or Nen, in Northamptonshire, that being too distant from the Severn.

673 Account of Richard of Cirencester, pp. 134-7: edition 1776.

Turnpikes were first erected in England, soon after the Revolution of 1688; the idea being probably borrowed from Holland and the Low Countries. At first, the demands for toll rendered them so unpopular that, according to Dr. Nash,[674] certain individuals were executed for cutting down turnpikes at Ledbury and Tewkesbury: but after the roads became gradually amended the general aversion became less. The first turnpike-act for the county of Worcester was passed in the year 1713, for amending the road from Worcester to Droitwich. At this time the roads throughout the county appear to have been wretchedly bad, but that above referred to must have been supremely execrable. In connection with the general improvement in roads which the last century has witnessed, the neighbourhood of Evesham has proved by no means in the rear. Previous to that period, the roads throughout the vale were—on account of its peculiar soil and situation—in such indifferent plight, that communication by wheeled carriages seems to have been nearly impracticable. Thus, even the produce of our gardens was conveyed to the adjoining markets upon pack-horses, only "sixty years since."

The first step toward amendment in this particular, appears in the passing of an Act in 1728, first of George I., for repairing certain roads leading to this borough; which are therein recited to be in such ruinous condition, that many parts were impassable during winter. The Evesham district under this act, extended from Stonebow bridge, upon the *ancient* Worcester and London road, to the top of Broadway-hill; from Evesham to Wick, upon the Pershore road; to a gate in Offenham-lane, upon the Littleton road; to Norton, on the present Alcester road; and no further than to Hinton, upon the present Tewkesbury road. The district thus included a circuit of about twenty-three miles. The ancient London road referred to, passed along what is now called the upper road from Worcester, to Long-small near Evesham; thence it ascended the hill to Twyford, as now, and running down to the Avon, crossed the river at Twyford Bridge,—at present removed, but on the site of which wagons used to ford fifty years ago: thence the road ascended Campden-hill, and joined the present London road near Moreton. At a later period this ancient track diverged at Long-

[674] Supplement to History of Worcestershire, page 10.

small toward Evesham, crossed the river here, and thence ascended Broadway-hill toward London, by the steep track now disused, but still discernible near the modern road there.

In the year 1743, being the seventeenth of George the Second, a second act was passed. This continued the powers under the former act, and extended the district on the Pershore line, from Wick to the mill-tail in Pershore.

In 1756, thirtieth of George II., another act was passed. By this the Evesham district was extended from Bretforton, up Willersey, Saintbury, and Weston hills, to Campden; and thence adjacent to the Fish on the top of Broadway-hill. From Evesham it continued along the London road, to the top of Bourton-hill; from Upton-wold-lane, through Donnington and Upper-swell, to Stow; from Norton to Crab's-cross, on the road from Redditch to Alcester; and from Pershore bridge, near to Upton-upon-Severn, as far as to the Blue Bell, situate at the junction of the Evesham line with the Tewkesbury and Worcester road. Under this act considerable improvements were made upon the London road; the most important of which was easing the former abrupt and difficult ascent of Broadway-hill, by the construction of a more circuitous route. Upon the Pershore road, a raised causeway was constructed, between Evesham bridge and Hampton turnpike; to which is mainly to be attributed the subsequent use of "the lower road" to Worcester, instead of the ancient or Stonebow line. This alteration was principally effected by Mr. William Penny, one of the trustees, a member of the corporation, and proprietor of a posting-house called the Unicorn Inn, in Port-street, at present converted into private houses, and occupied by Mr. Pratt.

In 1778, eighteenth of George III., an act was passed for repairing and widening the road from Evesham bridge to the Globe Inn at Alcester. By this act the former enactments respecting the road toward Alcester through Norton, to the New Inn on "the Ridgway," and thence to Crab's-cross, were repealed: that road being by the present act considered useless. The present Alcester road was at the same time constituted a separate trust; and by subsequent acts, for terms of twenty-one years each, down to the year 1819, it has thus continued.

In 1789, twenty-ninth of George III., by an act directing the

division of the Evesham roads into certain districts, the trustees were discharged from the management of the road to Hinton, leading toward Tewkesbury, noticed in the first act. But in the same year another act was passed, for amending the Tewkesbury road from Hampton turnpike to Teddington-cross, beyond Beckford Inn, where it joins the present road from Stow to Tewkesbury. A direct communication was thus for the first time effected between Evesham and Tewkesbury; prior to which the way diverged from Hinton across Bredon-hill, up the old straight road still visible there. The general condition of the roads in this vicinity about this time may be gathered from the attention then directed toward them by the public. In September, 1792, we find that a society styled the Vale of Evesham Road Club was formed among persons resident in the neighbourhood of Bredon-hill, "to enforce the due execution of the road laws," and "to give friendly assistance to such as should conform to their duty in this manner."[675]

Up to the year 1809, forty-ninth of George III., the road to Cheltenham, after quitting Teddington-cross, led through bye-ways extremely circuitous and bad. To obviate this an act was now obtained for making a new piece of road, leading from the Stow and Tewkesbury road at Teddington-cross to Oxendon elm in the Bishop's Cleeve road, and from the turn of that road at Gotherington, into the Cheltenham and Winchcomb road, at Southam. But this still circuitous route having been partly obviated, by a new line of road constructed by the Cheltenham trust, which avoided Southam, by passing out of Portland-street to Bishop's Cleeve direct, an act was passed in 1824, fifth of George IV., to repeal the former act, and to maintain the road made under that act from Teddington-cross to the aforesaid new road at Bishop's Cleeve. Powers were also given to diverge at Oxendon bridge through the parishes of Woolstone and Gotherington, into the Bishop's Cleeve Road; and thus the present direct highway from Evesham to Cheltenham was at length completed, within a distance of sixteen miles.

The last act passed, in reference to the Evesham roads, is that of 1822, third of George IV. By this act those of the 17th and 30th of George II. were repealed: the new enactment being continued

[675] Agricultural Survey of Worcestershire, pp. 262-8.

during a term of twenty-one years, for the repair and improvement of the following roads :—I. From Evesham to the Blue Bell, near Upton. II. From Battlewell to Stonebow. III. From Bengeworth to Bretforton and to a gate in Offenham-lane. IV. The new Campden road from Bretforton, through Weston to Paul's House. V. A road from Bretforton to Long Marston, not yet commenced. VI. The new line of road proceeding from the foot of Green-hill, Evesham, along the Avon side, into the upper Worcester road at Longsmall. This piece of road, constructed under the superintendence of Mr. Allen Stokes, is a deviation from the original branch, which formerly ascending the hill, ran along the bank nearer the present mansion of Mr. Rudge ; beyond which, it joined the ancient Worcester and London road : thus forming the *old* communication between that road and Evesham. This road to Worcester, winding beneath the hill along the margin of the Avon, presents in its scenery many beauteous landscapes ; and will be found by the tourist a more delightful, as well as shorter route, than that by the lower road through Bengeworth. VII. The new road from Wyrepiddle-hill, through Pinvin, to the Three-springs, upon the Upton road. VIII. A road not yet completed, leading from Hurst-lane, in Pershore, through Pinvin and Peopleton, into the present Worcester and Alcester road, at Upton Snodsbury. These several roads constitute what is termed the First District. The Second District, is declared by the same act to include the following roads. I. From Evesham to the top of Bourton-on-the-hill, upon the London road. II. From Upton-wold-lane to Stow. III. A road, at present passable, but not complete, from Broadway, through Buckland, Stanway, and Didbrook, into the Tewkesbury and Stow road. The most considerable improvement under this new act, is the late important alteration upon Broadway-hill. Here, under the direction of Mr. Allen Stokes, the inconveniences of a former alteration have been obviated, by quickening the ascent at the base, and easing it, by a more sinuous track along the side of the hill, to the summit. The prospect from this eminence we have already adverted to in a preceding chapter.

Before quitting the subject of Roads, it is proper to observe that the Railway Stations at present nearest to the town, are the second-class station at Defford, about nine miles west of Evesham, upon the

Gloucester and Birmingham line, and the first-class station at Spetchley upon the same line, about twelve miles north-west of the town. The station at present nearest to us upon the London and Birmingham line is at Warwick, and that upon the Great Western at Cheltenham. Both the latter companies have, however, bills now before parliament to connect their lines with Worcester, passing close to Evesham as a first-class station; and up to this time—10th April, 1845—appearances are rather in favor of the former.

Having thus completed our account of the various roads in the vicinity, we have now to notice the condition of the streets within the town. These we may presume to have been, during the middle ages, much neglected. Royal grants were however occasionally obtained, most probably through the influence of the abbots of the monastery, for remedying this evil. The earliest with which we are acquainted is of the first of Edward the Third, tested at Nottingham, 6th January 1328, and preserved in the Tower, by which the bailiffs and resiants of Evesham are empowered to exact certain additional tolls upon all provisions, wares, and merchandize vended in the market-place, during a period of three years; in aid of the paving of the town.[676] But this apparently proving insufficient, a second grant was made by the same king, tested at Windsor, October 24th, in the third year of his reign, for a continuation of these tolls during two additional years. A third grant of similar tolls, during a period of four years, was made by Henry IV. tested at Westminster February 14th, in the second year of his reign.

After the dissolution of the monastery, the influx of strangers who visited that establishment would necessarily cease; and the town then lying somewhat off the principal road, the streets became subject to encroachment and neglect. Thus, early in the seventeenth century we find it to have been usual to pile stone, lay timber, and heap up offal in the open streets. The kennels thus became clogged, and the pitching being unattended to, pools of stagnant water and holes of mire were the result. To augment these evils, the swine then kept by the inhabitants—who since the days of Eoves seem to have been given to the sustentation of these quadrupeds—were permitted to wallow in the garbage at their will. As a general

[676] "In auxilium ville p'd'ce paviande."

result, the plague burst forth here in 1610. We cannot give any statement of the number who died: but so alarming was the visitation that the wealthier inhabitants fled from the town; so that fines were levied by the corporation upon such as thus deserted their homes, thereby increasing the distresses of the poor who needed their assistance.

Attention was at length directed to the condition of the streets; and by orders on the corporate books, swine found at large were now to be impounded; stones, timber, dunghills, and "carrion" were to be removed; and the inhabitants were to repair the paving before their dwellings, and cleanse it weekly. These measures, originating in an emergency, soon fell into neglect; and some of the nuisances recapitulated had, we believe, continued till comparatively recent times. The two principal streets were during the last century occasionally repaired, as forming portions of districts referred to in the local turnpike acts; but the branch roads, or back streets, together with the footways throughout the town, continued in a neglected condition, till the public attention was seriously directed to improvements, in unison with the examples of other boroughs and the advanced spirit of the times. During the year 1823 various meetings were held, and a fund of £879 having been voluntarily subscribed, it was resolved at a meeting held on the 28th of August, to obtain an act of parliament for the improvement of the town. In 1824 an act was obtained for paving, cleansing, lighting, watching, regulating, and improving the borough, including the bridge; conferring also powers for the sale of certain commonable lands upon Green-hill and other places, and for appropriating the proceeds toward the purposes therein named. Under this act the town has been underdrained and paved, and was in the first instance lighted by oil-lamps. But in January, 1836, it was entirely lighted with gas: for which advantage the public are indebted to the enterprise of a private individual, Mr. John Gibbs, late of Stretton, but now of Norville, Offenham. The fronts of the houses have, in a similar spirit of improvement, been mostly rebuilt; and the entire appearance of the borough is consequently metamorphosed from that confined, irregular, and sombre aspect, which it had long previously borne.

CHAPTER XIX.

DISTINGUISHED INDIVIDUALS, NATIVES OF, OR RESIDENTS IN, EVESHAM.

IN this chapter we shall present, in chronological order, notices of such individuals as are not included in our account of the abbots in a preceding chapter; and who likewise do not appear, or else appear but incidentally, among other chapters of the work.

ST. WULSTAN, the last Saxon bishop of Worcester, was born at Long Ichington about the year 1008, and was placed in his first school at Evesham "to learn to read."[677] He was further instructed at Peterborough, and then became a monk at Worcester. There he rose to be prior; and in 1062 was consecrated bishop. Wulstan assisted at the dedication of St. Peter's at Westminster, by Edward the Confessor; and after submitting to William the Conqueror, was present at his coronation; and in 1087 he assisted in crowning William Rufus, his successor. Bishop Wulstan began to rebuild the Cathedral of Worcester in 1084, and finished it in 1092. He is said to have been a persuasive and powerful preacher, and to have evinced a remarkably humble disposition. He died on the 19th of January, 1095, aged about 87, and was canonized by pope Innocent the Third.

WALTER ODINGTON, a member of this monastery in 1240, was remarkable for his attainments in music, astronomy, and mathematics. Stevens, in his Supplement to Dugdale's Monasticon, says that he was a man of a facetious wit, who applying himself to literature "lest he should sink under the labor of the day, the watching at night, and continued observance of regular discipline, used at

[677] Wharton's Anglia Sacra, pt. ii. p. 244, in Thomas's Bishops of Worcester, p. 73.

spare hours to divert himself with the decent and commendable diversion of music, to render himself the more cheerful for other duties."[678] The quaint Fuller, also, in his "Worthies," characteristically informs us that "his harmonious mind expressed itself in his love of music; wherein he attained to great eminency, and wrote a learned book in that faculty." This work is extant in Ben'et library, Cambridge, and is entitled "Walterus Monachus Eveshamiæ de Speculatione Musicæ." The manuscript is a little impaired in the first page only, and is divided into six books.[679] The chapter "De organis componendi," treats on the proportion of organ pipes, and includes some account of the introduction of that instrument into Europe; observing that "in the year 757, an instrument of the kind was first of all sent into France, to king Pepin, by the Greek emperor." The chapter "De cymbalis faciendis" or casting of bells, contains, according to Dr. Burney, the first instructions of the kind that have been met with in the manuscripts of the middle ages. Though Walter, in his final chapter, observes that he writes not so much to invent rules of his own, as to collect the opinions and precepts of his predecessors, yet he appears to have been the first who suggested a shorter note than the semibreve, though he did not give it a form. He thus expresses himself: "I, first of all, have divided the semibreve into three parts, which I call minims; still retaining the figure of the semibreve, lest I should seem to depart from the doctrine of others." Odington wrote also on the motion of the planets, and of the changes of the atmosphere.[680]

Cardinal Hugh de Evesham, called from his complexion *Hugo Atratus*, or Hugh the Dark, was originally a monk here. In 1279 he was prebend of York, and in the following year was proctor for the archbishop of that province at Rome. Being accounted the greatest proficient in medicine of the age, and a dispute having occurred upon some medical question during his stay at Rome, his opinion was requested by the pope, Martin IV., who in token of his satisfaction with his attainments, created him cardinal of St.

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[678] Stevens's Additions to Dugdale's Monasticon, vol. i. page 205.

[679] Burney's History of Music, vol. ii. page 156.

[680] Tindal's Evesham, p. 254.

Laurence, in Lucina, A. D. 1280. This preferment he enjoyed till August, 1287, when he died, from the effects of poisoned wine, as stated in the Worcester annals,[681] and was buried in his own church at Rome. The following is given by Fabricius as a catalogue of his writings.[682] 1. De genealogia Christi humana. 2. Distinctiones predicabiles problemata varia. 3. Postilla super Biblia. 4. Canones medicales. 5. In Isaaii Arabes medici librum de febribus, et tractatum de peste. Some of his manuscripts are said by Bp. Tanner[683] to be preserved in the Bodleian library.

Elias de Evesham, who florished about the year 1270, was, according to Bale, of good family, and though he anticipated a fair estate, became a monk at Evesham. Leland asserts that even from boyhood he had attained a high degree in literature, and was an instructor of others. He compiled a chronicle, addressed in an epistolary manner to Henry abbot of Croyland ; a copy of which, brought down to the year 1268, Bp. Nicolson states was, in 1736, among lord Clarendon's Manuscripts.[684] He also wrote a life of Becket, which Leland saw in Whitby Abbey, during the reign of Henry the Eighth.[685]

John de Evesham, prior of Worcester, was the first prior of that house who was allowed to wear the mitre and pontificals in the presence of his bishop. He re-built "the fair tower of the cathedral-church and monastery" at Worcester;[686] and, dying March 27, 1370, was buried in the north aisle of the cathedral which he had thus signally adorned.

Cardinal John Cumin is stated in the Speculum Anglorum to have been also a monk of Evesham. He had been assistant, in his clerical capacity, to St. Laurence, the previous archbishop of Dublin, and was, at the recommendation of Henry II. as lord of Ireland, consecrated his successor in that see. He was ultimately made a cardinal by the pope.

John Feckenham, D.D. senior fellow of Gloucester Hall, Oxford,

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681 Wharton's Anglia Sacra, p. 508.

682 Bibliotheca Mediæ et Infimæ Latinitatis, lib. viii. vol. iii. p. 845.

683 Tanner's Bibliotheca Biblica, page 418, ex Leland.

684 Nicolson's English Historical Library, folio, page 112.

685 Tanner's Bibliotheca Biblica, page 590.

686 Thomas's Worcester Cathedral, page 6.

and abbot of Westminster, whose family name was Homan, was born of humble parents, within the forest of Feckenham. He was early distinguished by mental acuteness, which attracted the notice of the monks and led to his education in the monastery of Evesham. When of sufficient age he was sent by them to Gloucester College, afterward called Gloucester Hall, and now Worcester College, Oxford; but then a monastic foundation for the matriculation of Benedictine monks, principally from the abbeys in Gloucestershire and Worcestershire.[687] Here he soon distinguished himself, and when re-called to his monastery, was employed in instructing the juniors of his order.

At the surrender of his abbey to the king's commissioners, on the 17th November, 1537, Feckenham became a party in the deed, and received a yearly pension of £10. After this he returned to Gloucester Hall, where he was now senior fellow, became a secular priest, and was in 1539 chaplain to Dr. Bell, bishop of Worcester, by whom he was beneficed somewhere in this county. He then became chaplain to the notorious bishop Bonner, with whom he continued till 1542, when he and the bishop—apparently on ecclesiastical grounds—were both made state prisoners.[688] They were thus confined during much of Edward's reign; till the talents of Feckenham as a disputant led to his occasional temporary release: a Mr. Philip Hobbs, as Feckenham himself expresses it, having "borrowed him out of the Tower for some time, for this purpose."[689] One of these demonstrations was held in the Savoy, another at sir William Cecil's, a third at sir John Cheke's, and a fourth at Pershore, where Feckenham was opposed by the celebrated Hooper, then bishop of Gloucester.

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[687] On the suppression of religious houses this hall was alienated by Henry VIII.; whence passing to sir Thomas White, lord-mayor of London in 1560, he refounded it; and in 1713 it was endowed by sir Thomas Cookes, a Worcestershire baronet, with the sum of £15,000 for the support of a provost and six fellows. It was then made a college, and called such, as now.—*Pointer's Antiq. of Oxford University*, p. 111.

[688] Horn the protestant bishop of Winchester says the cause of his imprisonment was his promising first, and then refusing, to administer the sacraments after the protestant manner; but Stapleton says it was his defending the fast of lent, and opposing justification by faith alone; and those he says were the causes alleged in the register of Cranmer archbishop of Canterbury.—*Stevens's Add. to Dugd. Monast.* vol. i. p. 288.

[689] Stevens, vol. i. p. 289.

Upon Mary's accession, Feckenham was liberated from his confinement in the Tower, called to court, and made the queen's chaplain. In 1551, previous to the execution of lady Jane Grey, he had orders to prevail upon her to change her religion; and on this ground he obtained for her a respite during three days.[690] He also attended her upon the scaffold, and was there thanked by her "with inimitable meekness for the pains he had ineffectually taken in endeavouring to convert her to his own faith."[691] In 1553 he was collated prebend of St. Paul's, and in the same year was elected dean of that cathedral. In 1556, on the queen's restoration of St. Peter's abbey at Westminster to the monks, he resigned his deanery, and became abbot of that foundation; himself with about sixteen other Benedictines constituting the members. Here he repaired the shrine of Edward the Confessor, as it now appears. He also provided a paschal taper weighing three hundred pounds, which was made, we are told, with great solemnity in the presence of the master of the wax-chandler's company; he re-asserted the right of sanctuary for the abbey; and made the processions as magnificent as before.[692] As a mitred abbot—and the only one in England at that time—he took his seat upon the bench of bishops in the house of lords; where also he appeared in the first parliament of Elizabeth and there opposed the bill for restoring the protestant liturgy.[693] On the 12th of July following, the abbot was deprived, and his monastery received its final dissolution.

The benevolence of Feckenham's character, evinced by his kind offices toward the persecuted protestants during the reign of Mary, deserves especial mention. His influence shielded, among others, the earl of Leicester and sir John Cheke. He also interposed repeatedly in favor of the princess Elizabeth; who, not unmindful of his former good-will, had several interviews with him after her accession, endeavouring by persuasion and proffer of preferment[694] to prevail on him to take the oath of supremacy recently enacted, and conform to the established church; but this the sincerity of

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690 Rapin's England, 22nd of Mary.

691 Andrews' Continuation of Henry's History of Great Britain, bk. vii. ch. 1.

692 Knight's London, vol. iv. p. 78.

693 Strype's Annals, vol. i. App. No. 31: where his style is "the Reverend Father in God Master Doctor Fecknam, Abbott of Westminster."

his principles compelled him to decline. Being thus unassailable, he was, May 20, 1560, committed to the Tower, where he is found in company with six of the Romish bishops, who had been deprived and imprisoned. Strype has preserved a letter addressed by him to sir William Cecil, secretary of state, dated March 14th, 1564, and written in the Tower, relating to the oath of supremacy enjoined in 1563, wherein he states that his refusal of the oath was "not of will stubbornly set; but only of dreadful fear to commit perjury, thereby to procure and purchase to himself God's wrath and indignation."[695] In the month of October, 1564, he appears to have been removed from the Tower, and placed in the custody of Dr. Horne, bishop of Winchester; who also endeavoured, though fruitlessly, to convince his prisoner of the lawfulness of the oath. Feckenham stated his objections in writing, the bishop replied, and Dr. Stapleton of the university of Louvain followed on the same side. But all proving futile, Feckenham, after having passed the winter with the bishop, was remanded to the Tower, and thence removed to the Marshalsea. Being treated throughout his imprisonment with kindness, and the air of the Marshalsea proving injurious, he was allowed lodgings in Holborn,[696] though still under charge. While here, as we learn from Stevens, he caused a notable aqueduct to be built in that part of London. In August 1578, Dr. Cox, bishop of Ely had held him in charge there upwards of a year, the queen having desired that prelate "to use his endeavour to bring the abbot, being a man of learning and temper, to acknowledge her supremacy, and to come to the church."[697] In 1580 he was, with other recusants, confined in Wisbech castle, Cambridgeshire; and while there underwent another ecclesiastical ordeal, "being examined before the bishop of Ely, the dean, and several of the bishops' chaplains." Here in 1585, after an imprisonment in the whole of twenty-six years, he died; having previously caused

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[694] "There be not wanting some that say that she offered to him the archbishoprick of Canterbury, if he would take the oath and conform to the Church of England."—*Wood's Athenæ Oxoniensis*, i. p. 222.

[695] Strype's Annals, i. p. 459.

[696] Most probably in Ely Place, the ancient palace of the bishops of that diocese, and then occupied by Bp. Cox.

[697] Strype's Memorials, vol. ii. chap. xii.

to be erected a stone cross, which in Stevens's time was still to be seen at Wisbech. The latter writer observes that "when he dy'd, there was left only one Benedictine monk of the antient congregation of England," professed prior to the suppression by Henry VIII., "being F. Sebert, or Sigebert Buckley, then also a prisoner on account of his profession." [698]

The body of Feckenham has been said to be interred in the church of All-saints at Evesham. But this we conclude to be an error, originating in a vague remark by Mr. Abingdon; who in his MS. Collections, notices a gravestone at that time here, indented with a cross, as being "one John Homan's, of the *blood* of Feckenham abbot of Westminster." He was not however unmindful of the spot where his earliest years of study and devotion had been passed; for, as noticed in the succeeding chapter, it is evident that he made a bequest to this town, though the amount does not at present appear. A list of Feckenham's writings will be found in the margin beneath; compiled from Strype, Foxe, and Tanner.[699]

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[698] Stevens's Additions to Dugdale's Monasticon, vol. i. 182, ed. 1722.

[699] 1. A Conference dialogue-wise, held between the lady Jane Dudley and Mr. Jo. Feckenham, four days before her death, touching her faith and belief of the Sacrament, and her Religion. Lond. 1554. 8vo.—2. Two Homilies on the first, second, and third Articles of the Creed. Lond. 4to.—3. Oratio Funebris, in Exequiis Ducissæ Parmæ, Caroli Quinti, Filiæ & Belgiæ Gubernatricis.—4. Sermon at the Exequy of Joan queen of Spain, on Deut. xxxii. 28, 29. Lond. 1555. 8vo.—5. Speech in the House of Lords, A. D. 1559, against the Bill for the Liturgy: published in Strype's Annals of the Reformation, vol. i. Appendix ix.—6. Letter to sir William Cecil, Secretary of State, dated 14th March 1564, containing Objections to the Oath of Supremacy; written in the Tower: published by Strype, in Annals, vol. i. p. 459.—7. The Declaration of Scruples and Staies of Conscience touching the Oath of Supremacy, delivered by writing to Dr. Horne, Bp. of Winchester. Lond. 4to.—To this declaration the bishop published an answer, in 1566; and Thomas Stapleton produced a refutation of the bishop's work, under the title of "A Counter-blast to Mr. Horn's vayne Blast against Mr. Feckenham, wherein is set forth a Reply to Mr. Horne's Answer, &c. In 4 books. Lovaine, 1567.—8. Objections or Assertions made against Mr. Jn. Gough's Sermon, preached in the Tower of London, 15 Jan. 1570.—Soon after was published, by the said Gough, "An Answer to certain Assertions of Mr. Feckenham, which of late he made against a godly Sermon, &c." Lond. 1570. 8vo.—9. Caveat Emptor.—Mr. Tindal calls this a treatise with an odd title. It is, perhaps, an exhortation to persons not to purchase lands, tythes, &c. consecrated to the church.—10. Commentarii in Psalmos Davidis.—This is said to have been seen in MS. in the hands of the author, when he was in the Tower; but is since lost.—11. A Treatise on the Eucharist, written against J. Hooper.—This is mentioned by Anthony

Dr. JOHN WATSON, bishop of Winchester, was born in Bengeworth, Evesham, in 1520. In 1540 he was admitted fellow of All-souls, Oxford, and having proceeded M. A. two years afterward, seems from this time to have made medicine his principal study; in which he afterwards had considerable practice. About the time of Elizabeth's accession he entered into orders; and became prebendary of Winchester, archdeacon of Surrey, chancellor of St. Paul's, and master of the hospital of St. Cross, near Winchester. In 1572 he was made dean of Winchester; and in 1575 took the degree of Doctor of Physic. Being now in great favor at court, he was promoted by Elizabeth to the bishopric of Winchester, though he seems truly to have desired a more private life.[700] In this high station he continued till his death, January 23d, 1583, and was interred in the nave of his cathedral, on the 17th of February following. Besides legacies to his own college and university, he bequeathed £40 to the poor of Bengeworth parish, as noticed in our ensuing chapter.

Dr. LEWIS BAYLY, native of Wales, and fellow of Jesus College, Oxford, was minister of All-saints, Evesham, about the year 1611; the date of his induction not being ascertained. In 1613 he took the degree of D.D. and being famed for his eminence in preaching, became chaplain to Prince Henry, and one of the chaplains to James the First, by whom he was nominated Bishop of Bangor, and was consecrated at Lambeth, December 8th, 1616. After this he was elected high-steward of the borough by the corporation of Evesham. He died October 6th, 1631, and is buried in the cathedral at Bangor. Dr. Bayly published "the Practice of Piety," as the substance of several sermons preached by him while minister at Evesham; the eleventh edition of which was printed in London in 1619. In fact the work became so popular that, according to Wood, it passed through about forty editions in England, and was printed in the Welsh language, and also in France in 1633.[701]

WILLIAM JOHNS, born at Mathern, in Monmouthshire, about 1644, master of the grammar-school here, was author of a dramatic

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Wood.—12. A Sermon, preached at the Funeral of Queen Mary.—In MS. in the Cotton Library, at the British Museum.—13. An Oration in favour of Sanctuaries. —In MS. in the Bodleian Library, Oxford.

[700] Wood's Athenæ Oxon. vol. i. p. 708. [701] Ibid. i. fol. 567.

piece entitled "the Traytor to Himself, or Man's Heart his greatest Enemy; a moral interlude." This was performed by his pupils at a breaking-up, "having been provided for the entertainment of the governours of the said school;"[702] and was published in quarto in 1678, to render it useful on similar occasions.[703] Mr. Johns afterward took orders, and was in 1691 minister of a parish somewhere in this neighbourhood.

William Hopkins, D.D. was born at Evesham, August 2d, 1647, and was son of the Rev. George Hopkins, ejected in 1662 from the living of All-saints, for nonconformity. He was educated at Evesham school, first under Mr. Wyatt, afterward chantor of Lincoln and vice-principal of St. Mary's Hall, Oxford, and next under Dr. Jephcot, rector of All-saints here, and subsequently prebendary of Worcester. William, while at this school, when only twelve years old, translated an English poem into Latin verse, which, Mr. Chambers states, was printed some time before the Restoration."[704] At thirteen he was entered a commoner of Trinity College, Oxford, and in 1666, being then B.A. he removed to St. Mary's Hall, for the sake of his old master, Mr. Wyatt, then vice-principal there.[705] He took his Master's degree at the age of twenty-one. In 1671 he was appointed chaplain to the honorable Henry Coventry, on his embassy to Sweden; and while in that country applied himself to the study of northern antiquities, having previously acquired the Saxon language. After his return, in 1675, he obtained from Charles II. a prebendal stall at Worcester, through the influence of Mr. Coventry. In 1678 he married, and went to London, where in 1680 he was chosen lecturer of St. Laurence, Jewry. In 1686 he settled in Worcester, having been previously presented to the vicarage of Lindridge in this county, by the dean and chapter. He proceeded D. D. at Oxford, in 1692, and dying May 18th, 1700, was buried in Worcester cathedral.

Dr. Hopkins was author of "a Sermon preached before the lord mayor, aldermen, and citizens of London, in the parish church of St. Mary-le-Bow, September 3d, 1683; being the day of humilia-

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[702] Wood's Athenæ vol. ii. folio 1011.

[703] Chambers's Biographical Collections for Worcestershire, p. 248. [704] Ibid.

[705] Wood's Athenæ, vol. ii. fol. 1073.

tion for the late dreadful fire: London, 1683:"—Bertram or Ratram, concerning the body and blood of the Lord; of which a second edition appeared in 1688:—Animadversions on Mr. Johnson's Answer to Jovian:—a Latin translation with notes of a tract in Saxon, on the burial place of the Saxon saints; which was published by Dr. Hickes in his Semptentrional Grammar; Oxford 1705.—Dr. Hopkins also assisted Bp. Gibson in his Latin version of the Saxon Chronicle; and the bishop, in his continuation of Camden's Britannia, as also Dr. Hickes in his works on Northern Antiquities, both acknowledge his assistance.[706]

Major JOHN BERNARDI, born at Evesham in 1657, was the grandson of Philip Bernardi, count of the Roman empire, originally of Lucca in Italy, but resident twenty-eight years in England as agent from the court of Genoa. In this office he was succeeded by his son Francis; but he taking umbrage at some measures of the senate, relinquished his office and finally settled here. John, through some misunderstanding with his father, turned his back upon Evesham when only thirteen; and after being awhile supported by his father's friends, enlisted as a private in the service of the Prince of Orange, then engaged in the Dutch war against Louis XIV. of France. There his talents and enterprise obtained for him a captain's commission in the service of the states. The British regiments being recalled by James II. in 1688, Bernardi was among the few who obeyed the summons. Following James into Ireland after his abdication, he was commissioned by him into Scotland; whence, seeing the ruin of his master inevitable, he again retired into Holland: but venturing to return to London in 1695, he was committed to Newgate, March 25, on suspicion of being connected with a plot to assassinate King William. Here he, with five others, by the decree of six successive parliaments, remained prisoner for life; a period in his case exceeding forty years. While thus confined, he married his second wife, who supported him by her industry, and proved an invaluable acquisition. Ten children were the issue of this marriage; but no further circumstances relating to *them* have appeared. When in his seventy-fourth year he published a history of his life, embellished with his

[706] Green's Worcester, vol. ii. p. 102.

portrait in armour ;[707] and is said to have sustained himself with such fortitude as excited the attachment of those whom he had made his friends. Having in early life received many severe wounds, these now breaking out afresh, occasioned an additional trial of his fortitude ; from which he was released by death, September 20th, 1736. He is said to have been a little, active man, and of cheerful disposition.

Mrs. Elizabeth Elstob, a celebrated Saxon scholar, daughter of Mr. Ralph Elstob, merchant, of Newcastle-upon-Tyne, was born there, September 29th, 1683. Being left an orphan when she was only eight years old, she was committed to the care of Dr. Charles Elstob, canon of Canterbury ; and very early discovered a strong propensity to study. After this, Mr. Rowe More speaks of her as then residing with her brother in Oxford, the unwearied associate of his studies. He adds, that she originally possessed a genteel fortune, "which by pursuing too much the drug called learning, she did not know how to manage."[708] After her brother's death she removed to Evesham, and in consequence of reduced circumstances kept a small day-school here ; assuming at first another name, till gradually acquainted with some of the gentry in the town and neighbourhood. Thus, on August 17th, 1735, writing from Evesham, she acquaints Mr. George Ballard of Campden, one of her warmest friends,—in reply to his proposal to assist a lady elsewhere—"after seven years patience and endeavours for a school, I have obtained such a one as I desired, and as such an indifferent constitution will suffer me to undertake ; and having met with a great deal of friendship and generosity from the good ladies in this place, I should think it the greatest piece of ingratitude to neglect the dear little ones committed to my care."[709] In another letter to the same gentleman,—who seems still to have urged her acceptance of his offer—she admirably observes—"as to your objection on the meanness of the scholars, I assure you, sir, I should think it as glorious an employment to instruct these poor children, as to teach the children of the greatest monarch."[710] Mr.

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[707] Octavo: London, 1737. [708] Chalmers' Biographical Dictionary: art. Elstob.

[709] "One hundred and forty original Letters from Mrs. Elstob and seventeen Others."—*Ballard MSS.* vol. xliii. in *Bodleian Library.*

Tindal says that in her school her weekly stipend was at first only a groat. While in Evesham she is said to have completed a plan of the monastery; which at that time might doubtless have been executed, by reference to its then extensive remains. This, though stated to have been left behind her, is unfortunately lost; and Mr. Tindal, without considering the necessarily gradual removal of such a structure, is at a loss to account for the materials of her plan.[711] It is possible that the plan itself was sent by her to Mr. Ballard, at Campden. For writing to that gentleman in 1737, she says—"I have sent you the account of Evesham, which I formerly told you of, but doubt it will not answer your expectation."[712]

After some years continuance in her humble occupation, Mr. Ballard, and Mrs. Capon who kept a boarding-school at Stanton, procured for her from queen Caroline a pension of twenty guineas a year. But this ceased at the queen's death; and her health still failing, she was compelled, in January 1739, to visit Bath, as a remedy. While there, the duke and duchess of Portland becoming acquainted with her merit, engaged her "to teach their children to read, with a salary of £30 a year"—to commence at the previous Christmas; "a most extraordinary instance of generosity"—adds Mrs. Elstob—"for I am not to wait on her grace till summer." After this, she returned to Evesham, which she finally left for her new situation on the 26th November, 1739, continuing in the family of the duchess till her death at Bulstrode, on the 30th of May, 1756. She was buried at St. Margaret's Westminster. The following list of her works is compiled from Tindal.—A Translation of Madame Scudery's Essay on Glory:—Translation of and Notes on a Saxon Homily on the Birth of St. Gregory:—Rudiments of Grammar for the English-Saxon Tongue, 4to. 1715:—MS. Translation of Abp. Ælfrick's Homilies, part of which was printed at the Theatre, Oxon, in folio:[713]—Transcript of the Textus Roffensis:—Saxon Homilarium with Translation, partly printed in folio, at Oxford, by a grant obtained from queen Anne's Bounty:—Transcript of the Saxon MS. of the Athanasian Creed, printed in

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[710] Letter dated Evesham, 7th March following, in same volume.

[711] Tindal's Evesham, p. 227. [712] Letter dated Evesham, January 24th, 1736-7.

[713] Nichols' Literary Anecdotes, vol. iv. page 131.

Wotton's View of Hickes' Thesaurus, 1708. In a letter from Mrs. Elstob, preserved in the Ballard Collection, Oxon, dated Bulstrode July 21, 1748, it appears that many of her manuscripts were lost upon her coming into Worcestershire. They having been at that time entrusted to a female friend, who suddenly left England for the West Indies, and the papers were no more heard of. In Mr. Ballard's "Memoirs of Learned Ladies," published in 1753, there is only an incidental mention of Mrs. Elstob; which may perhaps be accounted for by her being at that time living.[714]

Samuel Foote, the eminent comedian, born in 1722, was nephew of sir John Dineley Goodere, of Charlton, near Evesham; his mother being sister to sir John. Samuel, though born at Truro, was much at Charlton in early life, and was educated in the college-school at Worcester, at the same time as Dr. Nash. The doctor states that his talent for mimicry displayed itself when he was but ten years old; for that being acquainted with several of the principal families in the town, he was often invited out, and would on his return keep the whole school idle by mimicking those among whom he had been. He was entered at Worcester College, Oxford, where he was chosen scholar, being nearly related to the founder; here he continued about two years, but the restraints of college did not suit his disposition; even while scholar, he went to Bath, played high, kept a good house and was attended by several footmen. When by various means he had acquired a fortune, he came to Charlton, and lived there about twelve months in great splendour; having a coach and six, with suitable retinue.[715] While residing here, we find him present at the mayor's feast in Evesham; one of his "sayings" on that occasion being preserved.[716] After his uncle's murder, at Bristol, Foote, to counteract what he terms "a false and incoherent account of the matter," and to set the particulars "in a clear light, in order to do justice to the memory of the deceased, and to the characters of the living," wrote a pamphlet, which was published in quarto, with two characteristic engravings

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[714] Memoirs of several Learned Ladies of Great Britain, by George Ballard, esq. of Magdalen College, Oxon: 4to. Oxford, 1752.

[715] Nash's Worcestershire, vol. ii. Supplement, p. 22.

[716] When the company had assembled, sir John Rushout inquired of the mayor how the lady-mayoress did? His worship said she was but poorly, being of a delicate

by Ross.[717] In a memoir of Foote, published soon after his decease, but undated,[718] his mother is stated to have become possessed of £5000 a year in consequence of the murder and execution.

Valentine Green, F. S. A. the eminent mezzotinto engraver, author of the "History of Worcester," passed, as stated by himself, nearly two years in the office of William Phillips, esq. town-clerk of Evesham, "one of the most eminent attorneys in this county;" having in view the profession of the law. In 1760 he changed his plans, and engaged himself as pupil in line engraving to Mr. Hancock at Worcester. In 1765 he commenced his career in London as mezzotinto engraver, in which he was his own preceptor; and for the space of forty-four years was employed in executing a variety of works from the most celebrated ancient and modern masters. Mr. Green died at Worcester on the 29th of June, 1812, in the 74th year of his age.[719]

John Collett, born at Bourton-on-the-Water, April 28th 1769, was descended from Dean Colet, the founder of St. Paul's school, London. His extraordinary size unfitting him for more active pursuits, he opened a boarding-school at Bourton, in 1791; and in 1799 removed to Evesham, where he presided over a florishing seminary with reputation and success. He was here distinguished by his benevolence and usefulness; he was a chief promoter of the first Sunday-school at Evesham, and was secretary and treasurer to that as well as other institutions. In the early part of his life, he frequently contributed poetical pieces to the magazines, under the

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constitution. "O yes," whispered Foote, "I can answer for her delicacy; I called on her this morning, and she was eating a large mess of leek-porridge, and stank like any pole-cat."—*Foote's Bon-Mots, Repartees, and Good Things:* printed for J. Bew, Paternoster-row, 17—.

717 "Memoirs of the Life of sir John Dineley Goodere, bart. who was murdered, by the contrivance of his own Brother, on board the Ruby man-of-war, in King's-road, near Bristol, January 19, 1740-1: together with the life, history, trial, and last dying words of his brother, Captain Samuel Goodere, who was executed at Bristol, together with Matthew Mahony and Charles White, two sailors, his accomplices, on Wednesday the 15th of April, 1741, for the horrid murder of the said sir John Dineley Goodere, bart.: written by the late Samuel Foote, esq. nephew to the aforesaid sir John Dineley Goodere." Worcester: printed and sold by J. Butler, High-street.

718 Printed for J. Bew, No. 28, Paternoster-row.

719 Chambers' Biographical Illustrations, p. 513.

signature of O. O. In 1795 he published "Poetical Essays, or Short Flights toward Parnassus;" and in 1805 a larger work entitled "Sacred Dramas." In 1815 Mr. Collett removed his academy to Foregate-street, in Worcester, where he died March 22d, 1816.[720]

William Tindal, F.S.A.,—named after his ancestor, the translator and martyr,—author of "the History and Antiquities of the Abbey and Borough of Evesham," was born at Chelmsford, May 14th, 1756; and was grandson of the Rev. Nicholas Tindal, chaplain of Greenwich Hospital, the continuator of Rapin's History of England. Mr. Tindal's father, James, was captain in the fourth dragoon-guards, and dying at the age of thirty-three, William, then but four years old, was placed with his mother's brother, a minor-canon of Chichester. There he was sent to a day-school till about the age of ten, when he went to reside with his mother at Richmond. Here, as stated by himself in an autobiography cited by Mr. Chambers, he often visited his grandfather at Greenwich, who thought well of his capacity. Possessing a delicate ear for music he accompanied his mother to Oxford, when about eleven, to be entered as a chorister. But in this, Mr. Tindal was of opinion that his friends did not sufficiently consult his youthful disposition; which he states to have been naturally bashful, reserved, and pensive. He continued a chorister at Oxford for some years; and lodged at the house of the Rev. Mr. Mant. His passion for music reviving with the leisure which left him nearly his own master, he now hired a violin, playing and endeavouring to transpose the solos of Correlli into trios; and at the same period pursued with avidity severer studies: an early love of drawing and a fondness for paintings also continued with him through life. He entered as commoner of Trinity college, Oxford, May 13th 1772, intending to stand for a scholarship during the same year; in which he succeeded, and was elected scholar. In 1774 his grandfather died, leaving him a handsome annuity, till he should arrive at the age of twenty-four; by which time he expected that he would be provided for in the church.

In 1776, Mr. Tindal took his first degree in arts; and in December, 1778, the degree of master. In the latter year he was

[720] Chambers' Biographical Illustrations, p. 576.

ordained at Oxford, and became fellow of Trinity college. His fellowship he lost in early life, by marriage. In August, 1787, his name appears as curate in the register of Fladbury, near Evesham; in which office he continued till February, 1790. During this period, his attention being directed toward antiquities by the architectural vestiges of the monastery, he produced his History of Evesham. The work was printed and illustrated in a manner far superior to the generality of local histories at that period; and in 1794 was published by the late Mr. Agg, of Evesham, at his own entire cost. In consequence of this publication, the author was soon after elected a fellow of the Antiquarian Society. In 1792 he was instituted to the living of Kington in this county, through his father-in-law's interest with the Cecil family; and in 1795 was presented to the rectory of Wallingford, Norfolkshire, in the gift of Mr. Coke. The latter preferment he exchanged, in 1799, for the chaplainship of the Tower of London; where he died, in September, 1804, under depressing mental circumstances, and is buried in the ancient church within that fortress, beneath a stone bearing simply the initials W. T.

Beside his work on Evesham, Mr. Tindal was author of "Strictures on Dr. Johnson's 'Life and Critical Observations on the Works of Mr. Gray,'" published in 1782; of which Bp. Hurd is stated to have said "it was the best defence he had ever seen against the attacks of that Goliah of literature."[721] He also published, in 1791, "Juvenile Excursions in Literature and Criticism," which did him considerable credit as a polite scholar; this was followed by "Plain Truth in a Plain Dress;" and in 1804 by "the Evils and Advantages of Genius contrasted," an essay in three cantos, in blank-verse. He was also the author of six pamphlets,[722] the titles of which do not appear; and he left some unfinished works at the time of his decease. His compositions in music are said to have been highly esteemed by the first judges; and some of his juvenile productions had, in 1820, been recently played at the concert of ancient music with great approbation.

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[721] Chambers' Biographical Illustrations, p. 572.

[722] Monthly Magazine, Nov. 1804, p. 355.

CHAPTER XX.

CHARITABLE DONATIONS AND BEQUESTS—TOGETHER WITH PAROCHIAL PROPERTY.

OUR present chapter will present an enumeration of such bequests and donations as have not been already noticed in our account of public institutions. But before entering on this subject, it may not be improper to observe, that the tables upon which the original records are made in All-saints' church—ostensibly for the information of posterity—are in a very confused and decaying state. The benefactions are here painted upon linen cloth, which seems to have been afterward cut and fitted into the present frames. These frames are ten in number; and they are so ranged, that while one table breaks off in the midst of a bequest, the remainder of the benefaction is to be discovered on the commencement of a table by two or three removed. This, with the intermixture of other tables,—apparently brought from the church of St. Lawrence, when that structure fell into decay, and recapitulating in different order the contents of the former,—confer upon the entire range the character of "confusion, thrice confounded." In Bengeworth church, on the contrary, the benefactions are very properly inscribed upon the front panels of the western gallery. By cancelling the recapitulations on the All-saints' tables, the panels of the gallery here, would probably be found sufficient to present, and thus to preserve the Evesham list, straight-forward and entire. After a careful collation of the contents of these, at present jumbled, records with the twenty-fourth Report of the Commissioners for Inquiry concerning Charities, as also by information personally obtained,—we have been enabled to present the ensuing list, in some degree of

order. At the same time we shall classify our information under distinctive heads.

1. CHARITIES FOR THE GENERAL RELIEF OF THE POOR.

Thomas Lord Coventry, by will dated 31st of August, 1657, bequeathed the sum of £500 for the benefit of the poor of the town of Evesham. This sum was, in September 1668, in conformity with his lordship's will, invested in the purchase of a yearly rent-charge of £25, issuing out of lands in the parish of Bredon, then belonging to John Harlowe, esq. but now to Mrs. Cartwright; to be received by trustees, and to be by them paid yearly to the mayor of Evesham, the three senior aldermen, the recorder, and the town-clerk,—for distribution among such of the poor inhabitants of the town of Evesham as the heirs of the testator should half-yearly appoint. In default of such appointment, the said corporate officers shall then dispose of the portion unappropriated, to such of the inhabitants as they shall think fit. But no person is to receive more than 10*s.* in any half-year, without written direction from the heir of the testator; nor is any part to be given to any of the kindred or alliance of the corporate officers, without the like special permission. An annual account is to be kept; which being first audited and subscribed in a full chamber, is within twenty days to be sent to the heir of the testator; in default of which, payment of the annuity shall cease, until this provision be complied with. The present trustees, appointed by order of the court of chancery, dated 4th May, 1829—are, John baron Northwick, the hon. Henry Beauchamp Lygon, the hon. Edward Pyndar Lygon, Edmund Thomas Perrott, esq. sir Charles Rushout Cockerell, Thomas Beale Cooper, M.D. the rev. John Marshall, Mr. William Byrch, and Mr. William Soley. To these trustees the annuity, as ordered, was conveyed on the 15th of February, 1830, upon the trusts of the original purchase-deed. Certain arrears of this rent-charge, amounting to £160, were paid up to Michaelmas 1828, to the mayor; by whom a balance amounting, after deducting the costs of the order, to £33 17*s.* 6*d.* was paid over to the succeeding mayor, to be applied in furtherance of the charity. Since the passing of the Municipal Act, the trustees aforesaid pay over the net amount—£5 being deducted for land-tax—to the mu-

nicipal trustees for charities, who, under section 71, distribute the same, according to the will, yearly.

Philip Gardner, gent. conveyed three houses in Offenham, to trustees and their heirs, that they should on every 24th of December distribute the rents among forty poor widows, or such poor of the parish of All-saints as they should think fit. Six tenements at Offenham, in possession of All-saints' parish, are understood to have been thus obtained; and are let by the churchwardens, under the direction of the vestry. The present rents amount to £10 4*s.* yearly. From this amount 52*s.* are annually given in bread to poor widows, at the church; and the residue, which was formerly applied to church expenses, is now, at the suggestion of the commissioners, annually distributed according to the intentions of the donor.

Mrs. Abigail Martin gave 20*s.* per annum, out of Doctor's Close, to be distributed yearly to twenty poor widows and maids, to be nominated by the minister. This close is now the property of Mr. Rudge; by whom the above charges are paid to the minister and churchwardens; who appropriate the same accordingly. The land when purchased by Dr. Jephcott, was, as appears by his will, dated 3d of March, 1712, subjected to other yearly charges; among which were 6*s.* 8*d.* to the churchwardens of St. Lawrence, and 10*s.* to the poor of the parish of All-saints for ever.

Ait Payment.—A payment of one shilling, granted to each of the parishes of All-saints and St. Lawrence, out of an ait, or eyot, in the river Avon, between the mills and the bridge, was recovered by the inquiry of the Commissioners; and is now annually paid to the churchwardens by Mrs. Sarah Smith, the proprietor. This sum, together with Mrs. Martin's bequest, is distributed among poor widows in the two parishes.

Mrs. Elizabeth Gardner bequeathed £50, to be placed out at interest by her brother and sister, Mr. George Gardner and Mrs. Ann Gardner; to be disposed of yearly to the poor of All-saints and St. Lawrence, as they should think fit. This £50 was, by the will of Mr. Gardner, dated 16th April, 1720, increased to £100; beside which, he also bequeathed to the poor of Bengeworth £50, the interest to be given to aged persons unable to work; and £100 more, the interest of which should be applied in the teaching of

poor children of Evesham, to read English. The above family was evidently one of importance in the town, and George Gardiner, esq.—apparently the above gentleman—was high-sheriff for the county, in 1708.[723] In consideration of these bequests, making together the sum of £250, Mr. Gardner's executors, by deed dated 3d of April, 1731, charged premises in High-street, then "the Swan Inn," but at present "the Star Brewery," with the payment of £10 per annum for ever: the freehold of which has since been purchased by the parishes of All-saints and St. Lawrence. The rent-charge of £10 is now—at the suggestion of the commissioners—removed from the church-fund, to which it had improperly been applied, and is paid in the proportions of £4 per annum to the poor of St. Lawrence, of £2 to the poor of Bengeworth, and of £4 to the Evesham National and Sunday-school.—See also Division 5th, in the present chapter.

Edward Rudge, esq. citizen and alderman of London, by will dated 17th November, 1640, bequeathed £200 to the parishioners of Bengeworth, to make a stock for employment of the poor; the profits of which, he willed should be given to the poor of the said parish for ever. He also bequeathed a further sum of £400 to a lecturer; which will be found at large under the head of "Bequests to the Clergy," in the present chapter. With £530, part of these two legacies of £600,[724] an estate was, by indenture dated 26th December, 1646, purchased at Great Hampton, by Mr. Serjeant Cresheld and others, for a term of one thousand years: upon trust, that they and their assigns should yearly pay two-thirds of the

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[723] "1708, George Gardiner, esq. Evesham."—List of Sheriffs in *Nash's Worcestershire*, vol. i.

[724] The following occurs in the Corporation Book.—29th August, 28th Charles I. 1648. Mr. William Martin accounts for £600 received by him and Mr. Samuel Gardner, of Alderman Atkins, one of the executors of Alderman Rudge: having paid the Widow Blissard, of Hampton, for the purchase of lands, £529.; leaving in his hands £71, together with £43 15*s.* from profits of the land; but of which he had disbursed in repairs and expences £76 6*s.* 8*d.* leaving £38 8*s.* 4*d.* to be employed according to the will.—This balance is entered in successive accounts, from mayoralty to mayoralty, till no further mention of it is made. The table No. 7, in All-saints' church, put up in or about 1722, thus notices £30 of the above, as then in the hands of the corporation:—"£30 in the Chamber of Evesham, given by Alderman Rudge; the interest whereof is distributed as the rents of the last-mentioned farm" [Hampton].

rents and profits, toward the maintenance of a lecturer in Evesham; and the other third part, toward the relief of the poor of Bengeworth; according to the will. This estate, enclosed in 1776, comprises an ancient farm-house, divided into two, at present let at £7 16*s.* per annum; together with about thirty-two acres of land, now rented at £60 yearly. In the award under the Inclosure Act, an allotment of 19A. 2R. 26P. part of these thirty-two acres, was made to twenty-one persons named therein; as trust for two equal parts of the annual value, in behalf of the Rev. Edward Cooper and his successors, vicars of St. Lawrence, for ever: the remaining third being in trust for the benefit of the poor in Bengeworth. But the trustees, thus appointed, being dead, the legal estate is outstanding in the representatives of the survivor. The minister of St. Lawrence receives his share of the proceeds, and the remaining third has, since the death of the trustees, been paid to the churchwardens of Bengeworth; who dispense it on Christmas eve to the poor of that parish.

Miss HARRIOTT SMITH of Evesham, by will, dated 2d July 1821, proved in Doctors' Commons 30th September, 1830, bequeathed the sum of £500 to the rector and churchwardens, for the time being, of each of the respective parishes of All-saints and St. Lawrence: payable on the demise of her sister, Miss Louisa Ann Smith: one moiety or half part of each of these sums is to be applied to the relief of such of the poor of each parish respectively, as shall not be in the receipt of parochial relief.

2. BENEFACTIONS TO BE DISTRIBUTED IN BREAD.

Alderman DEACLE, by his will, referred to on page 215, bequeathed fifty shillings per annum to be given every Sunday, at the church, in bread, to twelve of the most aged and indigent persons of Bengeworth. This distribution is made in the church, accordingly.

JAMES MITCHELL gave forty shillings yearly for ever, out of the George Inn, in the parish of St. Lawrence, to be distributed in bread, by the churchwardens, to the poor of that parish: namely, twenty shillings on St. Thomas'-day, and twenty shillings on Good Friday. The premises thus described were, in 1788, conveyed to Mr. Anthony New, sen. subject to this rent-charge; and now con-

stitute tenements, severally occupied by Mr. Averill and late by Mr. R. Cooper. Mr. John New, the present proprietor, sends a certain quantity of bread, weekly, to be distributed at the church; which the churchwardens consider equivalent to the above donation.

Nicholas Feild gave by will dated February, 1679, twenty shillings yearly out of a messuage, land, and close on the Merstowe-green, to be disposed of in bread, on twenty Sundays in the year, beginning on Epiphany Sunday. The land here noticed devolved on James, John, and Henry Grove; who, by a partition between them, became possessed of distinct portions, each contributing 6*s.* 8*d.* toward this rent-charge. Edward Rudge, esq. is now proprietor of James' and John's portion, and Mr. Josiah Wheatley is the owner of part of Henry Grove's. Of the rent-charge, Mr. Rudge is subjected to a payment of 13*s.* 4*d.* and Mr. Wheatley of 6*s.* 8*d.* yearly.

Mrs. Lye, of Cropthorne, gave a tenement in Cole-street; the rent from which should be distributed in bread to the poor of St. Lawrence, Evesham, and also of the parish of Cropthorne, for ever. The premises are now occupied by Mr. William Johnson, on a repairing lease, at a rent of £8: half of which is paid to the churchwardens of each parish. The moiety to St. Lawrence parish had, prior to the inquiry of the commission, been appropriated to church expenses; but since that period it has been given in bread, by the churchwardens, on the Sundays between Christmas and Lady-day.

Andrew Ordway, who died in 1712, bequeathed twenty shillings yearly for ever, out of a house in Bengeworth, to be distributed by the overseers of that parish among the poor. This house is now occupied by Mr. John Melen; the twenty shillings are duly paid, and the amount is distributed in bread among the poor, on Sundays.

Frances Watson, by will dated September, 1727, gave £100, the interest to be weekly laid out in bread, and distributed among the poor of Bengeworth, by the minister and churchwardens. This sum having become reduced, through the failure of individuals, it has been restored by private contribution, to £100, being the original amount: which is vested in bond upon the tolls of the Evesham and Cheltenham road, bearing date 15th May, 1815. The interest at five per cent. is paid by the treasurer of the roads, and is expended by the churchwardens as directed.

Mrs. Thomazin Watson gave the interest of one-third part of £150—noticed under Division 5th of the present chapter—to the poor of Bengeworth, to be weekly distributed in bread; and the same is so distributed every Sunday.

John New, of Evesham, woolstapler, by codicil dated January 10th, 1820, gave to trustees, £100; to dispose of the interest in bread, yearly on Christmas-day, among such industrious poor as should have resided for twelve months in Oat-street, Cole-street, Chapel street, and Upper Mill-hill, in Evesham; but without distinction as to their religious communion. Provision is made for appointment of new trustees, to continue the number to seven, and for new investments of the money in real securities. This sum has been invested upon approved security; and the trustees annually receive from the executors £5, which they distribute as directed: preparing at a meeting held three or four days before, a list of the persons to be relieved in compliance with the wish of the testator.

3. EDUCATIONAL BEQUESTS.

John Gardner, by will dated February, 1688, and a codicil appended, appointed quit-rents of £4 6*s.* 8*d.* payable from the Goldsmiths' Company, and eighteen shillings from the church-wardens of St. Augustine's, both in London; to be settled upon trustees at Evesham, for teaching twenty-five poor children there to read English. The widow and son, as executors of the testator, by lease and re-lease of 9th and 10th July, 1694, conveyed the fee-farm rents to trustees, for this purpose. The present trust, appointed June 3, 1837, are Messrs. John Procter, John Thomas, John Clark, W. B. Edge, and William Barnes. Mr. Thomas is treasurer; who having in 1839 received a balance of £100 14*s.* 8*d.* from his predecessor, has since invested the same, at present increased to £115 2*s.* 7*d.*, in the Evesham Savings' Bank. The Goldsmiths' Company deduct from their payment, four shillings in the pound for land-tax, which reduces the rental to £4 1*s.* 2*d.* yearly. A respectable female is employed to teach ten poor children, at a salary of £6 10*s.* yearly; and with the surplus from the rental and interest, books are supplied. The number of children was considered by the commissioners as satisfactory, under the present depreciated value of money.

GEORGE GARDNER, esq. by will, referred to on page 391, bequeathed £100, the interest of which should be applied in teaching poor children of Evesham to read English. This sum was charged by his executors upon premises now called the Star Inn, as previously noted. Those premises being now parochial property, £4 per annum is paid by the churchwardens to the Evesham National and Sunday-school.

4. BEQUEST FOR APPRENTICING CHILDREN.

THOMAS MATHEWS, by will dated 20th November, 1672, gave £5 yearly, to apprentice poor children, born and bred in All-saints, by the churchwardens and overseers. This was to be paid out of a house in High-street, heretofore occupied by Mr. Higgs, two tenements in Britain-street, occupied by John Baylis and James Ralter, and a close in the East Fields, called "Mathews's Ground." This payment is now made by Mr. John Clark, the present proprietor of a portion of the land; which is situate upon Green-hill, and was originally part of the East Fields prior to inclosure. The money is laid out by the churchwardens toward apprenticing boys, as opportunity arises.

5. BEQUESTS TO THE CLERGY.

MARY BISHOP gave twenty shillings yearly, payable out of Tolley's Close, in the West Fields, now belonging to Edward Rudge, esq. to the minister of the parish of St. Lawrence; for want of such, to the minister of All-saints, and for want of such to the poor of Evesham; to be distributed by the governors. The same individual likewise gave twenty shillings more, out of another close adjoining the above—now also belonging to Mr. Rudge—to be paid to the minister of All-saints; for want of such, to the minister of St. Lawrence, and for want of such, to the poor of the parish of St. Lawrence, for ever. The above £2 is therefore paid by Mr. Rudge—after deducting land-tax—to the minister.

Dr. JOHN JEPHCOTT, by will dated 3d March, 1712, charged lands now called the Doctor's Close with the payment of £4 to the minister of All-saints, yearly for ever. This, after deducting land-tax, is paid by Mr. Rudge, the present owner.

EDWARD RUDGE, of London, alderman, by will dated 17th No-

vember, 1640, bequeathed £400 to the churchwardens of the parish of Evesham and twelve of the most substantial householders, for the purchase of lands; to be conveyed to such householders upon trust that the churchwardens for the time being should pay the rents and profits toward the maintenance of a lecturer "to preach the word of God in the said parish church every Sunday afternoon, or upon some working day in every week, for ever." The first lecturer was to be appointed by four celebrated nonconformist divines in London, namely, Dr. Gouge, Mr. Calamy, Mr. Burton, late parson of St. Mathew's in Friday-street, and Mr. Culverwell, late parson of St. Margaret Moses in Friday-street,[725] who were, on occurrence of death, to choose others. In case of their default, the testator directed that "four of the most able and painful ministers in London, for the time being," should nominate the lecturer, as often as that office should be void. And in case such lecturer "should be prohibited by authority, or otherwise should cease," provision is made that during that discontinuance, the rents and profits shall then be given to the relief of the poor of the same parish of Evesham, for the time being. The mode in which this is invested, will be found on page 392 in the present chapter; and the minister of St. Lawrence receives thence the proceeds of the benefaction.

John Martin, by will dated 28th February, 1713, devised an estate at Little Hampton to pay, among other charitable uses elsewhere, out of the rents and profits, £10 yearly to the minister of

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[725] Dr. Gouge, was minister of Blackfriars about forty-six years. In 1643, he was nominated one of the Assembly of Divines, where he occasionally sat as moderator. He was a learned and constant preacher, was esteemed the father of the London ministers, and died in 1653, in the 79th year of his age.—*Neal's History of the Puritans*, vol. iv. p. 82.—Mr. Calamy, the celebrated presbyterian, was one of those divines who in 1641 met by order of parliament to accommodate ecclesiastical matters. He was ultimately committed to Newgate, for breach of the Act of Uniformity.—Mr. Burton was imprisoned in 1633, for publishing sermons against the innovations of Archbishop Laud; particularly against that prelate's suppression of afternoon lectures. In 1637 he was a second time cited before the Star Chamber; being accused of writing "A Catalogue of God's Judgments against Sabbath-breakers." Upon this occasion he was deprived of his living, and imprisoned in one of the Channel Islands, where he continued till about the date of Alderman Rudge's will, when he was released by order of parliament, together with Mr. Prynne and Dr. Bastwick, his fellow-sufferers. —*Neal's Puritans*, ii. pp. 263-92.

Bengeworth, for reading prayers, preaching, and catechising there, once every Sunday. The estate is now tenanted by Mr. John Mansell, at a yearly rent of £139 : and the present trustees are the Reverends John Shaw, Henry Southall, Benjamin Preedy, John Marshall, and W. F. Preedy, esq : from whom the payment abovementioned is received.

Mrs. Thomazin Watson, by will dated 2d September, 1737, bequeathed to the minister and poor of the parish of Bengeworth, the sum of £150: from whence two-thirds of the interest shall be paid for ever to the minister, and the other part to the poor, as we have previously noticed. This bequest is realized in an estate at Ashton-under-hill, consisting of a cottage and about six acres of pasture land, at present let at £15. The minister, after retaining his own portion pays the remainder to the churchwardens, as stated on page 395 of the present chapter.

William Bond gave £3 yearly for ever ; payable to the minister of St. Lawrence, out of a close in Great Hampton, called "the furze close," now divided into two closes. The sum is paid by Mr. Nathan Izod, the present proprietor.

6. CHARITIES LOST.

John Feckenham, D.D. a member of the monastery at the dissolution, and subsequently dean of St. Paul's, who died in 1585, appears, from an entry in the corporation books, to have left certain money to this town ; which, in 1626, was in the hands of the corporate body. The item occurs in the first of the pecuniary accounts rendered yearly by the mayor upon retiring from office, and is dated 14th September, 1626. The entry warrants the use of "five pounds of Fekenham's money," in part of a payment to be made from the corporation.

Serjeant Cresheld, member for this borough during the Long Parliament, bequeathed money for putting out poor children of the town. In the mayor's accounts for 1663, there is an item which shows that £60 had been taken out of "Serjeant Cresheld's charity money," to defray the expenses of the Bridge Act : and in the accounts for 1682, payments for clothing two girls "to send them to London," and for apprenticing three boys, are stated to have been made in part from "Serjeant Cresheld's money for putting forth

poor children, all in Bengeworth." The preamble to the same account states the interest of the bequest as six pounds yearly.

Sir THOMAS BIGGS built the new shambles, and gave the rents to be distributed by the governors of the corporation. In an entry in the corporate accounts of 28th Charles II. 1676-7, the nett rental of these is given as £18, which is there directed to be distributed among the poor at the following Christmas. These shambles were taken down from the south-east quarter of High-street, as an obstruction, some fifty years ago. It should be noticed that the occupants of houses on that side the street next the site here named, receive tolls upon live-stock exposed for sale before their doors at the time of fairs ; while on the opposite side of the way, no such toll is demanded.

THOMAS WATSON, esq. in 1612, gave £40 to buy fuel, and a further sum of £10, for the use of the poor of this borough.

JOHN WATSON, bishop of Winchester, native of Bengeworth, gave £40 to buy stock, to employ the poor of Bengeworth parish.

Mr. SAVAGE, of Elmley, gave £60 to the aldermen and burgesses, the interest to be applied in placing out poor children apprentices. An entry in 1663, shows £3 12*s.* from this source, as having been then appropriated accordingly.

Mr. PALMER, of Alcester, gave twenty pounds ; the interest to be given to the poor. This sum, on the 7th November, 1609, as appears from the corporation book, was ordered by the mayor and common-council to be paid in discharge of a debt due from this borough to one Philip Harris.

EDMUND SYMONS, of Pinvin, in 1616, gave £5 ; the interest of which was to be given to the poor.

ROBERT COOKS, gent. granted in 1683, a close called Spicer's Close to trustees, for raising fifty shillings yearly ; to be appropriated by the mayor, aldermen, and capital burgesses in a distribution of coals, to twenty poor inhabitants of All-saints, and St. Lawrence, yearly, for ever. The Commissioners' Report states that no money has been received within memory, from this source ; and that even the premises cannot now with certainty be identified.

Mr. MALTBY, of Brickland, gave thirteen shillings yearly to the poor of St. Lawrence, and the same to the poor of All-saints, to be distributed every Sunday in bread. This was payable from a

house in Oat-street, occupied at the time by Thomas Jenks, and from a house adjoining the free-school. The same individual also gave twelve shillings per annum, out of a house in High-street, formerly Mr. Rushorne's, to be distributed equally by the mayor and justices among the poor of each parish, at Christmas. Respecting these bequests, the commissioners report that one of the houses in Oat-street is not at this time known: that the churchwardens of the two parishes receive the rent of a tenement in that street, amounting to £3 yearly, occupied by Martha Fort, which may be referable to the above, and that this rent is appropriated to expenses connected with the church: but, that the parish receives no such rent-charge out of any house in High-street.

Lawrence Banks gave Amphlett's house, in the parish of St. Lawrence; that the poor of All-saints and St. Lawrence might receive from the rents twelve-pence in bread every Sunday. The commissioners here report, that the above house cannot be ascertained; but that the churchwardens of both parishes receive fifty shillings as the rent of a tenement in Bewdley-street; and that this rent is also appropriated to church purposes.

£10 was left by Widow Oliver, and £10 by Widow Leigh, for the use and benefit of tradesmen in the borough. In 1657 we find upon the corporation books Mr. Thomas Martin and Mr. John Ballard joined, by the corporation, with Mr. Thomas Hardway, as trustees for employing these sums accordingly, under oversight of the mayor for the time being.

In 1663 certain open ground called Port Mill Meadow, was ordered by the corporation to be enclosed, and let for the benefit of the poor of All-saints and St. Lawrence.

In 1677 the rent of a house near the shambles is ordered, in the corporate books, to be appropriated to the purchase of books for the Grammar-school.

In 1682 the sum of 36*s.*, being interest of Mr. Jackson's money, is stated in the mayor's accounts to have been paid to the governors of the Grammar-school.

William Bond, of Evesham, by will dated 8th of February, 1702, gave half the residue of his personal estate, after the death of his mother,—being £27.—to the poor of St. Lawrence and All-saints. A receipt, dated 17th December, 1722, signed by the then

mayor, for £13 10*s.* as a charity by Mr. W. Bond, was exhibited to the commissioners; but no further information could be obtained, save that by an indorsement on the same receipt, it is said to have come "to the chamber of Evesham."

Leonard Fryer, gent. gave 52*s.* yearly, payable out of three messuages lying together, then occupied by R. Barber, M. Sonell, and J. Harris, that one shilling might weekly be given in bread, to the poor of the parish of St. Lawrence.

The following are painted upon the confused charity-tables in the church of All-saints, before alluded to.

6*s.* 8*d.* yearly, payable to the parish of All-saints, out of a house formerly in the possession of John Stone.

7*s.* 2*d.* payable yearly to the same parish, out of a house occupied by John Stone.

6*s.* payable yearly to the minister of St. Lawrence, out of a slinget of ground then occupied by Widow Mills.

2*s.* 6*d.* per annum, out of Caponpot-lane, between Briar Close and the Doctor's Close; payable to the parish of All-saints.

Upon the five last entries, the Commissioners report that neither of them appears to have been received during living memory; and that even the premises cannot now be positively ascertained.

The church-tables also note the following donations:—

Philip Hay gave £5 to the use of the poor of Saint Lawrence.

Robert Bishop, gent. on the 7th of October, 1613, bequeathed 20*s.* out of a close in the West Fields, to the minister of All-saints; in want of such, to the minister of St. Lawrence; and, in want of such, to the poor of the last-named parish.

Edward Walker gave by will £10, to be disposed of to the poor of All-saints.

Mr. Hanks gave a house and lands at Peopleton, about 50*s.* per annum; for the repair of the highways, between Worcester and Evesham.

These four entries the Commissioners seem not to have noticed in their Report: doubtless on account of the confused state of the inscribed tables.

7. PAROCHIAL PROPERTY.

The Quay House, at the bridge-foot, belonging to the parish of

All-saints, and occupying the site of "the old guild-hall,"[726] is at present let by the churchwardens, at a rent of £20 : the yard and premises adjoining, being further let to Mr. Solomon Hunt, on lease for twenty-one years, at £21 yearly, with an engagement to expend £150 upon the premises. The rents are applied to purposes connected with the church.

The SWAN HOUSE, in High-street, now the Star Hotel, is, as noticed on page 392, subjected to a rent-charge, under Gardner's charities ; and by indenture of 19th February, 1771, the fee was, without notice of the rent-charge, purchased by the parishes of All-saints and St. Lawrence, for £130. The parishioners have recently let the premises on a repairing lease to Mr. R. H. Hughes, at £30 per annum ; and the rental, subject to the rent-charge, is appropriated by the churchwardens of both parishes to purposes connected with the church.

FUNDED INVESTMENT.—An ancient tenement, till lately standing at the south-west angle of the church-yard, and having a small plot of ground attached, had immemorially been claimed as the property of the churchwardens and overseers of the parish of St. Lawrence. In 1793, these officers demised the above, to Misses E. and I. Horne, for twenty-one years, at £6 per annum. On the expiration of that term, and at the death of the survivor in 1829, William Welch, esq. was let into possession of the whole, by Miss Horne's executors : and in 1831, the parish officers accepted from that gentleman £150 in exchange for the premises. This sum was, by order of the vestry, invested in the public funds ; there to remain, till it could be vested in other freehold property : and on such re-investment being made, the churchwardens were directed to convey the premises to Mr. Welch. In 1833, after the removal of the tenement and the conversion of the garden into a stable-yard, by Mr. Welch, the vicar of All-saints and St. Lawrence obtained possession, by ejectment, of nearly the whole garden, with its improvements ;[727] upon evidence of small yearly payments, of from five to ten shillings, having been made to his predecessors. No claim was however made, upon his part, to the site of the house ;

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[726] See page 199, in chapter x.

[727] Being that noticed upon page 178, among the profits of the benefice.

nor to the yard, including a small portion of the garden : of which Mr. Welch's devisees continued in possession, under the above exchange with the parish. Of the £150 received from Mr. Welch, £100 was appropriated toward paying off a mortgage on the "Swan house;" and the remaining £50 continues vested in the 3½ per cent. annuities, in the names of the present churchwardens : the interest being appropriated to the church fund.

Houses in Bewdley-street.—A row of dilapidated tenements situate in Vine-street, and belonging to the parish of St. Lawrence, was taken down in the year 1824, when their sites were added to the church-yard; which was at the same time bounded by the present palisades, pillars, and gates. For this improvement, the public are principally indebted to the exertions of Mr. A. New and the late Mr. Thompson, with the consent of the parish. These gentlemen, assisted by a donation of £100 from the late Miss Horne, together with contributions from other individuals, effected the whole, without any expense to the parishioners. The original tenements were colloquially termed "alms-houses;" though for what other reason, save their being tenanted by paupers, does not appear. The subscribers afterward erected in lieu of these, three tenements in Bewdley-street, upon ground belonging to both parishes, which was leased by the churchwardens, on the 30th September, 1824, for ninety-nine years—at a chief-rent of 7*s.* 6*d.*—to the overseers of the parish of St. Lawrence, who appropriate them as dwellings for paupers, occupied rent-free.

CHAPTER XXI.

CHRONOLOGICAL RECORD—CONCLUDING OBSERVATIONS.

THE contents of the present chapter, although they could not with perspicuity be incorporated with other portions of the work,—yet as being requisite to the completion of the volume, are here inserted in the order of occurrence.

1235-6.—20th Henry III.—The liberties of Evesham were seized on account of false measures being used when the king was here; but they were restored upon the submission of the abbot and monks.[728]

1289, April.—King Edward the First, in his journey from London to Worcester, rested at Offenham,—where the abbots possessed a mansion and park—adjoining Evesham, upon the old high road.[729]

1328, June.—King Edward the Third visited Evesham at this time, as appears from acts dated hence on the 24th and 28th of this month.[730]

1409.—The second individual burned in England for protestation against the peculiar doctrines of the church of Rome, was a native of Evesham, Thomas Badby by name, and by occupation a tailor.[731] This individual, having apparently imbibed the doctrines of the venerable Wicliff, pastor of Lutterworth, in Leicestershire, fearlessly made the avowal when brought before his diocesan in the cathedral at Worcester; where he undauntedly maintained—as also before both primates of the church in the cathedral of St. Paul afterward—that "after the consecration at the altar, there

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[728] Abingdon MSS. in Nash's Worcestershire, vol. i. page 411.

[729] Anglia Sacra, i. p. 510. [730] Rymer's Fœdera, iv. p. 356, in Nash.

[731] Owen's Character and Conduct of Ecclesiastics, page 155.

remaineth materiall bread and the same bread which was before, notwithstanding it is a sign or sacrament of the living God."[732] Upon this, he was, by the king's writ, issued under the statute of Henry IV. condemned to be burned as a heretic, in Smithfield. This sentence may almost be said to have been twice executed. For the Prince of Wales—afterward Henry V.—thought proper to attend at it, and when the martyr was in the midst of his torture, the prince ordered the fire to be removed, and promised the sufferer a pension for life if he would recant his opinions. But Badby, when he had recovered himself, nobly refused, and once more resigned himself to death in a fire horribly *rekindled* for the occasion.[733]

1611, January 4th.—As an instance of the local monopolies formerly held by freemen of the corporation, we find it ordered in the mayor's court, that no victualler or ale-house keeper should, after the 1st of March, brew either beer or ale; "but shall have the same of the common-brewers assigned, whereof Mr. Philip Parsons, one of the common-council, is appointed to be one; under penalty of ten shillings, one half to the borough, the other half to the informer."

1611, July 9th.—Ordered by the corporation, that "no householder or other, should entertain any inmate, poor stranger, person or persons;" nor erect any cottage, nor convert any outhouse into tenements, without leave of two justices; under penalty of five pounds, "to the use of the borough."[734]

1632, August 28th.—Ordered by the corporation, that each mayor should, every market-day, personally sit "within the Booth-hall," with the town-clerk, his deputy, and the serjeants-at-mace; "with the action book, for the entry of actions."

1665, August 23d.—The parishioners of All-saints and Saint Lawrence, agreed jointly to repair the bells in the clock-tower; which, according to the entry in the parish-books, were then about to be re-hung.

1671.—The sum of £29 17*s.* 6*d.* was this year collected in the borough, and paid to the chamber of the city of London, for the

[732] Fox's Martyrs, edition 1641, p. 680. [733] Rapin's England, vol. i. book xi.

[734] In the 31st of Elizabeth, 1588-9, a curious act passed; which, after reciting that great inconveniences have been found to grow by the erecting and building of great numbers of cottages, which are daily more and more increased, enacts that, for the time to come, no such tenement shall be erected, unless four acres of land be attached to it.

relief of sufferers by the great fire, and "poor people visited with the plague."[735]

1676.—It appears, by the mayor's accounts for this year, that ten pounds were, on the 15th of December, paid to Mr. Edward Field, for repairing "the Old Hall."

1680.—The cost of the mayor's feast this year, as entered in that officer's accounts, amounted to £4 12*s.* 1*d.*

1680.—The following entry—grounded on the exploded superstition anciently connected with the person of the sovereign—occurs this year in the books of the corporation. "17th December, 31st Charles II. P^d^ Adams of Bengeworth, to assist him to go to London, to be touched for the evil, £1 04*s.* 0*d.*"

1717.—New vanes were placed upon the pinnacles of the bell-tower, at the joint expense of both parishes: as appears from the churchwardens' books. Respecting these useless additions to the work of our ancestors, it is proper to remark, that upon the spires of Worcester cathedral, they have been found absolutely injurious. For, the iron-work being necessarily inserted to a considerable depth, the sudden transitions of the vane must, by a consequent vibration in the rods, ultimately dislocate the stone-work and destroy the spire.

1724.—The spire of All-saints' church, was during this year repaired, and the weather-cock was also replaced.

1742.—An order is this year made, in the churchwardens' books, to repair the tower-clock, and to erect chimes.

1759.—In the month of August, a most destructive fire broke out in Port-street, in open day; consuming nearly every house from the present turnpike down to premises, late Mr. Roper's tan-yard, on the northern side of the street.

1770.—In November of this year, the highest flood within memory occurred here. The water reached almost to the key-stone of the main arch of the bridge, and extended up Port-street to the public pump on the south side of the street. So that the inhabitants were compelled to pass out of their houses, through the upper windows, and were thence conveyed by boats along the street.

1800.—In the year 1798, six acres of land at Church Lench

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[735] Mayor's Accounts for the year: in First Corporation Book.

near Evesham, were purchased for the living of Bengeworth, out of queen Anne's Bounty, for the sum of £200; out of which the vendor ultimately rebated £20. This land was, at Michaelmas, let on lease for twenty-one years, at £7 10s. per annum, reserving the timber. In 1799 it was planted with wheat, when it produced ten bags to the acre. This, contrary to the generality of corn in that ungenial season, was housed well, and sold, in consequence, at 23s. per bushel. The land produced thus, in marketable corn only, by that one harvest, the sum of £207! being more than the original purchase-money.

1803.—During the threatened invasion of Britain, by Napoleon Buonaparte, a corps of volunteers was raised in Evesham, in common with almost every other town throughout the kingdom. On this occasion, a pair of colors, worked by the ladies, was formally presented by Mrs. Perrott, of Cracombe-house; having been first publicly *consecrated*—as was then and is, we believe, still usual—in the church. In January, 1804, the corps of Evesham and Pershore were incorporated under the command of major-general Amherst, by the name of "the East Worcester Regiment of Volunteers." They thus mustered 344, and were divided into six companies, with the usual complement of officers. On the 27th September, 1808, this corps volunteered into the militia; and was then distinguished as "the East Worcester Local Militia:" at the same time a drawing took place, to complete the number required by the act.

1809.—On the 25th of October, the national commemoration of the fiftieth regnal anniversary of George the Third, was observed here, with the usual demonstrations of public joy.

1814.—The proclamation of a general peace, after the continental war of one-and-twenty-years, was made on the 23d of June. Upon this occasion, an ox and three sheep were roasted, which, with a due supply of ale, were distributed among the populace. The festivities concluded with a general illumination.

1820.—King George the Fourth, was, on the 7th of February, proclaimed in the principal streets, with the usual formalities.

1820.—The news of the virtual acquittal of her majesty queen Caroline, on the 10th of November, by the house of lords,[736] was

[736] In the division upon the third reading of "the bill of pains and penalties," there

received here,—as generally throughout the kingdom,—with unbounded demonstrations of joy. A public dinner in consequence, took place at the Cross-keys Inn, Charles Edward Hanford, esq. of Wollashill, presiding; and in the evening the town was illuminated.

1821.—On the 19th of July, being the coronation-day of George the Fourth, a public dinner took place in the guild-hall; Thomas Beale Cooper, esq. presiding.

1824, April.—The porch of All-saints' church having been injured in a storm, was repaired by E. J. Rudge, esq.

1826.—The spire of All-saints' church was, during this year repaired, at a cost of £135. To this Edward Protheroe, of Bristol, esq. contributed thirty guineas.

1830.—The commissioners for Inquiring concerning Charities, held their sitting here in the month of April. The result of their deliberations we have embodied in the preceding chapter. A copy of their published Report is deposited in the chest of All-saints' parish, for public use.

1830.—King George the Fourth died on the 26th of June; and his majesty William IV. was proclaimed here, on the 30th of the same month, with the usual formalities.

1831.—In consequence of the introduction to parliament, of "a bill to amend the representation of the people in England and Wales," by Lord John Russell, upon the 1st of March, under sanction of the ministry, a public meeting in the guild-hall, was convened by the mayor—John Thomas, esq.—pursuant to a requisition. The meeting was held on the 12th of March, the mayor presiding; when a series of resolutions, together with petitions to both houses, in favor of the measure, were passed. The petitions afterward received signatures from upwards of four hundred male adults, inhabitants of the borough.

1831.—In consequence of the rejection of the First Reform Bill by the house of lords, on Saturday, October 8th,—a requisition numerously signed, was presented on the 10th, to the mayor—Daniel

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appeared for the motion 108, against it 99. Upon this the prime minister declared that "in the present state of the country, and with the division of sentiment, as evinced by their lordships, so nearly balanced, himself and colleagues had come to the determination not to proceed further with the bill." After this declaration, it was formally withdrawn.

Edge, esq.—requesting him to call a public meeting, for the purpose of voting an address to the sovereign, "on the present crisis of public affairs." A meeting was accordingly appointed, and held on the 12th of October, in the guild-hall; Edward Rudge, esq. presiding, in the mayor's absence. The resolutions, which were very determinately expressed, were unanimously adopted; and an address to the king, expressing unabated confidence in Earl Grey's administration, and praying the speedy enactment of "the bill,"—was similarly carried, and was signed by four hundred and sixty male adults, inhabiting the borough.

1831.—On the 17th of October, a society, styled The Evesham Reform Association, was established in the borough, within a few days after the rejection of the First Reform Bill by the house of lords; the object being to urge by lawful means the enactment of that or of a corresponding measure. With this view the members met weekly, paid a subscription monthly, and issued a series of printed addresses, calculated to keep the town "alive" upon the question. The association was dissolved upon the attainment of its object, by the passing of the Reform Act on August 8th, 1832.

1832, March 10th.—Died at Evesham, whither he had a short time previously retired, Muzio Clementi, the celebrated composer, born in 1752, and considered the father of piano-forte music. His remains were publicly interred in Westminster abbey.

1832.—On account of an alarming epidemic, termed spasmodic cholera, at this time raging in many portions of the kingdom, the 21st of March was by proclamation appointed as a day of general fasting and humiliation; and was in this town, accordingly observed. This dreadful disorder first appeared at Sunderland, in the end of October, 1831, attended by features of such alarming character, that measures were universally adopted to prevent the spread of so dire a pestilence. These, however, were comparatively vain: so that in the spring of 1832, it assumed a fearful aspect, visiting numerous cities and towns; death in a few hours usually terminating each attack. But though in several adjacent towns numerous deaths occurred,—at Tewkesbury they numbered seventy-six—yet Evesham was on this occasion happily preserved.

1832.—In consequence of the rejection of the Second Reform Bill by the house of lords, on Wednesday the 8th of May, a requi-

sition was presented to the mayor on the 11th, and a public town's meeting was appointed to be held in the guild-hall on that day. William Welch, esq. was unanimously called to the chair, in the absence of the mayor—Daniel Edge, esq.; when an address to the king, imploring him to call such men only to his councils as would carry into effect that bill which had already passed the lower house, together with a petition to the commons, praying the withholdment of supplies from any administration that should pursue a different course, were unanimously adopted. The petition and address were upon the same day signed by nearly four hundred inhabitants, and were despatched by Sunday's mail.

1832, June 15th and 16th.—The enactment of the reform bill was now commemorated here by public festivals. For this purpose a fund was raised and a committee of management appointed. The morning of Friday was ushered in with merry peals, from the tower and church. The site of the intended banquet included the area of Vine-street; which was decorated throughout with festoons of laurel, ivy, and flowers. The tables were laid in the midst, beneath the open sky. The provision consisted of ponderous joints of beef, interspersed with casks of ale. At three o'clock the guests sat down, exceeding 700 male adults, while a far greater number, as spectators from the town and neighbourhood, stood around. Mr. Workman occupied the chair, and was supported on the platform by several leading members of the late 'Reform Association.' The toasts, accompanied by instrumental music, were drunk with hearty cheers, and animated speeches were delivered amid the hopeful excitement of the national event then celebrated, and the joyousness of the exhilarating scene. In the following afternoon, upwards of 1500 women and children were regaled with sandwiches and tea, within the area employed on the previous day. After this, the company removed to the adjoining green; where, in various groupes, they tripped merrily away to the music of the band, till evening closed. The entire expense of both these festivals was £118 12*s.*: which sum was subscribed by the inhabitants and others connected with the town. The aged and infirm among the populace were supplied at their homes. The total of provisions provided by the fund upon the occasion, will be found in the margin of the ensuing page.[737]

1833, April 14th.—This day having been appointed for general thanksgiving to Almighty God, for the cessation of cholera in these kingdoms, it was duly observed here.

1833, September.—Though this town entirely escaped attack from cholera, in 1832, when that disorder existed in almost every other town in the county; yet, at this time, when all other parts of Worcestershire were exempt, a few cases occurred here.

1834.—On the 10th of July, a meeting was held in the vicarage house of All-saints, "to take into consideration the most effectual method of restoring the Church of St. Lawrence." A committee was accordingly appointed, and a subscription begun.

1834, November.—During this month spasmodic cholera appeared a second time in the town, originating in the low ground adjoining the mills; but after continuing ten or twelve days, during which about fifteen deaths occurred, the disorder once more disappeared.

1835, April.—A mail-cart, established by the general post-office, commenced running from Stratford, through Evesham, to Tewkesbury; there to meet the Birmingham and Bristol mails. By this means the northern, central, and western letters were at length forwarded hence direct; instead of lying eighteen hours at Worcester, as had long previously been the case.

1835, December 26.—This day, pursuant to an order in council, the first election of town-councillors under the Municipal Act of William IV. took place. This body on the 1st of January following, elected the first mayor under the same act.

1836, January 18th.—The town was, on this evening, for the first time lighted with gas, under a contract for twenty-one years, entered into with the town commissioners by Mr. John Gibbs, on the 5th September, 1835. By this means the dirt of candle-ends and oil-lamps was happily exterminated from our shops and offices.

1836.—The first stone in the restoration of Saint Lawrence's church was laid on Tuesday 26th April.

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[737] 886 lbs. of beef, in beds and rounds
1000 penny loaves
550 gallons of strong ale
5 lbs. of mustard, 14 quarts of vinegar
8 lbs. of tobacco
13 lbs. of tea
81 lbs. of sugar
21 quarts of milk
500 sixpenny loaves
64 lbs. of fresh butter
700 inscribed plates and cups, retained by the guests as memorials of the event.

1837.—King William IV. died on the 20th of June, and her present majesty, Queen Victoria, was proclaimed on the 23d, with the usual formalities.

1838, January 26th.—The weather, which had been mild and open till after new-year's day, became so severe, that the Avon was frozen to such a thickness as to permit a sheep to be roasted entire upon the ice; which took place a little on this side the Hampton turnpike. Slices were then cut and sold from the carcase to numerous spectators, who were attracted by the novelty of the scene.

1838, June 28th.—The coronation of her majesty Queen Victoria was celebrated here by a total cessation of business and public rejoicing. From a general subscription, amounting to £113, the male inhabitants were supplied with a substantial dinner spread in the High-street; and upon the same tables their wives and families were in the evening regaled with tea, cake, &c. The children of the various charity-schools were also suitably entertained by the several religious denominations.

1840, February 10th.—Demonstrations of public joy upon the marriage of Queen Victoria with Prince Albert of Saxe Gotha, were here universal. A public meeting was held in the week previous, and subscriptions amounting to £110 14*s.* 6*d.* were collected, for supplying every inhabitant, adults and children, whose circumstances might render the gift acceptable, with one pound of meat and a threepenny loaf, to enjoy at home upon the occasion. 2461 lbs. of beef, and the like number of threepenny loaves were thus furnished to as many applicants,[738] as also 592 buns to the children of the various charity schools. To effect this, even less than £96 2*s.* 5*d.*, the nett amount raised, was employed: a balance of £4 12*s.* 1*d.* being left, which was transferred to a fund for supplying coals to the poor at reduced prices. Being market-day, all shops were closed at 5 p. m. and the remainder of the day was devoted to public recreation: bells rung, musicians paraded the streets, public dinners and balls were given in various parts of the town, and at seven the Town-hall was opened for a general dance, where about 800 individuals of every class were admitted; cake

[738] Of these, 895 were resident in All-saints; 926 in St. Lawrence; and 640 in Bengeworth.

and wine were amply provided, and the neat and cheerful appearance of the various groupes, together with the order and harmony that prevailed, were most gratifying and praiseworthy: at twelve the whole company joined the band in the national anthem, and the multitude immediately dispersed.

1843, September 8th.—The first excursion of the members of the Mechanics' Institution took place: the object selected for visitation, with Lord Northwick's ready assent, being the picture-gallery at Northwick Park. A train of vehicles was employed, and the party, about thirty in number, was conveyed through Broadway, Dovedale, and Blockley, to the noble mansion, which was unrestrictedly thrown open. After admiring the works of art with which the rooms and gallery abound, partaking of a collation in the greenhouse, and roaming through the garden and grounds, the party returned in early evening by the same delightful route, to greet the broad harvest-moon as she rose above their dwellings.

1843, November 10th.—The first conversazione in connection with the Mechanics' Institution, took place in the assembly-room. The walls of the apartment were decorated for the occasion with drawings, paintings, and engravings; while valuable specimens in natural history, with miscellaneous curiosities, and choice books and prints, covered the tables of the room. Tea and coffee were supplied, and after two hours pleasantly passed, the members removed into the adjoining hall, which was thrown open to the public, where an appropriate address was delivered upon the occasion.

1845, April 17th.—An influential meeting for establishing schools here upon the British and Foreign system was held in the Town-hall, Edward Holland esq. of Dumbleton, in the chair. A statement was made that in consequence of a liberal offer of £100 from sir Culling Eardley Smith, toward the establishment of such a school, made by that liberal baronet when recently here, a few individuals had met together, at the house of Mr. Nelson Foster, commenced a subscription amongst themselves, and then canvassed the town; the amount at present being £367 10*s*. Over and beyond which, Mrs. Sarah Smith, of Evesham, had most generously placed at their disposal a suitable plot of freehold land. Resolutions connected with an immediate commencement of the association, including a vote of thanks to sir C. E. Smith, bart.,

and Mrs. S. Smith were passed unanimously, together with cordial thanks to Mr. Holland for his efficient aid upon the occasion; and the meeting dispersed highly gratified with the proceedings.

And now, Courteous Reader, the textual portion of this my new edition is, as far as care and pains would serve me, finished and completed. And leaving you to examine at leisure the "Gleanings in Natural History" within our Vale, which I have arranged and appended to the work, and for the materials of which I am particularly indebted to the Rev. David Davis, late of Evesham; to Miss Strickland, late of Cracombe; to Mr. Herbert New, of Evesham; to Mr. Gibbs, of Offenham;—and further directing your attention to the documents copied and the notices contained in the "Appendix" to my volume,—I, nowise regretful of my labour if I be rewarded with your approval, do now most cordially bid to you—

FAREWELL.

6th MAY, 1845.

GLEANINGS IN NATURAL HISTORY,

WITHIN THE

NEIGHBOURHOOD OF EVESHAM.

GLEANINGS IN NATURAL HISTORY.

I.—CHARACTERISTIC AND RARE PLANTS IN THE VICINITY;

CHIEFLY PHÆNOGAMOUS OR FLOWERING.

ACINOS VULGARIS, Basil Thyme. Bredon Hill.
Agrimonia Eupatoria, Agrimony. New Road, Lench Woods, and Bredon Hill.
Agrostemma Githago, Corn-cockle. Corn Fields.
Anagallis Arvensis, Pimpernel. Common.
——— *Cærulea.* Brockhill Hill.
Anemone Nemorosa, Wood Anemone. Tun Hill
Arum Maculatum, Cuckoo Pint. Woods and Shady Hedge-rows.
Arundo Phragmites, Common Reed. Banks of the Avon, Wet Ditches, &c.
Astragalus Glycyphyllus, Sweet Milk Vetch. Colt Nab.
Bartsia Odontites, Red Bartsia. Corn Fields, frequent.
Brassica Napus, Cole Seed. Banks of the Avon.
Briza Media, Quaking Grass. Cracomb Hill, Clark's Hill.
Bryonia Dioica, Red-berried Bryony. Abundant.
Butomus Umbellatus, Flowering Rush. Banks of the Avon.
Bupleurum Tenuissimum, Slender Hare's Ear. Road-side, near the Third Mile-stone from Evesham to Worcester.
——— *Rotundifolium,* Common Hare's Ear. Corn Fields, near Bishampton.
Caltha Palustris, Marsh Marigold. Banks of the Avon.
Campanula Rotundifolia, Round-leaved Bell Flower. Abundant: the white variety on Elmley Road.
——— *Trachelium,* Nettle-leaved Bell Flower. Bredon Hill, and Lench Woods.
Cerastium Aquaticum, Water Chickweed. Banks of the Avon.
Cheiranthus Cheiri, Wall Flower. The Bell Tower, Abbey Wall, and All-saints' Church.
Chelidonium Majus, Common Celandine. Lane leading into Merstowe-green, Hedge near Wyre Turnpike.
Cicorium Intybus, Wild Succory. Worcester Road, and Bredon Hill.
Chironia. See *Erythræa.*
Chlora Perfoliata, Perfoliate Yellow Wort, Hipton Hill, and Lench Woods.
Chrysanthemum Segetum, Corn Marigold. Church Lench.
Circea Lutetiana, Enchanter's Nightshade. Tarecote Wood, Bredon Hill, and Lench Woods.

Clematis Vitalba, Traveller's Joy, or Honesty. Lenchwick Bottom.
Convolvulus Arvensis, Small Bindweed. Corn Fields and Hedges everywhere.
——— *Sepium*, Great Bindweed. Woods and Hedges; also frequent among the Willows by the Avon.
Cuscuta Epithymum, Lesser Dodder. On the East end of Cracombe Hills, near a Cottage.
Cynoglossum Officinale, Hound's Tongue. The Common, Road-sides, and Hedges.
Dipsacus Sylvestris, Wild Teasel. Road-sides, Banks of the Avon.
Epilobium Hirsutum, Great Hairy Willow Herb. Banks of the Avon.
Equisetum Sylvaticum, Branched Wood Horse Tail. Colt Nab.
——— *Arvense*, Corn Horse Tail. Colt Nab: common.
Erigeron Acre, Blue Flea-bane. Colt Nab.
Eriophorum Angustifolium, Common Cotton Grass. Near a Spring by the River-side, between the villages of Moor and Wyre.
Ervum Tetraspermum, Smooth Tare. Colt Nab.
Erysimum Alliaria, Garlic Treacle Mustard. Chadbury, and various other places.
Erythræa Centaurium, Centaury. Bredon Hill, Colt Nab, &c.
Eupatorium Cannabinum, Hemp-agrimony. Banks of the Avon, Tarecote, and Lench Woods.
Galeopsis Tetrahit, Hemp-nettle. Fields beyond Clark's Hill, also white variety.
Galium Verum, Yellow Bed-straw. Meadows by the Avon, and elsewhere.
Geranium Pratense, Blue Meadow Crane's Bill. The Meadows, Leuches, and Bredon Hill.
——— *Dissectum*, Jagged-leaved Crane's Bill. Bredon Hill, and Brockhill Hill.
Habenaria Bifolia, Butterfly Habenaria. Tarecote Wood, and Hipton Hill.
Helianthemum Vulgare, Rock Rose. Bredon Hill, and Rouse Lench.
Humulus Lupulus, Hop. Abbey Wall, and Tarecote Wood.
Hyacinthus Nonscriptus, Blue Bell. Tarecote, Lench Woods, &c. abundant.
Hyoscyamus Niger, Henbane. New Road.
Iris Pseud-acorus, Yellow-water Iris. Banks of the Avon.
Juniperus Communis, Juniper. Cracombe Hill.
Lathyrus Aphaca, Yellow Vetchling. New Road, Plantation belonging to Edward Rudge, esq.
——— *Nissolia*, Crimson Vetchling. Worcester Road, in Fladbury parish.
——— *Pratensis*, Meadow Vetchling. Hedges.
——— *Sylvestris*, Narrow-leaved Everlasting Pea. Wood near Pershore, Field at the foot of Bredon Hill.
Lepidium Campestre, Mithridate Peppermint. Slad Wood, and Sheriff's Leuch.
Ligustrum Vulgare, Privet. Frequent.
Linaria Cymballaria, Ivy-leaved Toadflax. Old Walls in the Town.
——— *Spuria*, Round-leaved Fluellen. Corn Fields, and Charlton.
——— *Elatine*, Sharp-pointed Fluellen. Corn Fields.
——— *Vulgaris*, Yellow Toadflax. Banks of the Avon, and Hedge near Chadbury.
——— *Minor*, Least Toadflax. Brockhill Hill.
Linum Usitatissimum, Common Flax. Long Meadow.
——— *Catharticum*, Purging Flax. Fields everywhere.
Listera Ovata, Twayblade. Tarecote Wood.
Lythrum Salicaria, Purple Lythrum. Banks of the Avon.

Lysimachia Vulgaris, Great Yellow Loose Strife. Banks of the Avon.
——— *Nemorum,* Yellow Pimpernel. Bredon Hill.
——— *Nummularia,* Moneywort. Banks of the Avon, hanging down to the Water.
Lonicera Periclymenum, Woodbine. Woods and Hedges, frequent.
Malva Moschata, Musk Mallow. New Road, Bredon Hill, and Brockhill Hill.
Myosotis Palustris, Forget me Not. Banks of the Avon, and water-courses generally.
Nuphar Lutea, Yellow Water-lily. River Avon, abundant.
Nymphœa Alba, White Water-lily. Fish pond, at Cracombe.
Œnanthe Fistulosa, Water Dropwort. Ditches running into the Avon.
Ononis Spinosa, Prickly Rest-harrow. Road between Battlewell Turnpike and Chadbury, frequent.
——— *Arvensis,* Common Rest-harrow. Worcester Road, near Fladbury, frequent.
Onopordum Acanthium, Cotton Thistle. Worcester Road.
Ophrys Apifera, Bee Ophrys. Colt Nab, Tun Hill, and Brockhill Hill.
Orchis Morio, Green-winged Meadow Orchis. Meadows about the Lenches.
——— *Mascula,* Early Purple Orchis. The Lenches, and Road beyond Chadbury.
——— *Maculata,* Spotted Palmate Orchis. Tun Hill, Chadbury.
——— *Pyramidalis,* Pyramidal Orchis. Woods, Sheriff's Lench.
Orobanche Elatior, Tall Broom-rape. Fields of Clover about the villages of Moor and Wyre.
Papaver Argemone, Long prickly-headed Poppy. Bredon Hill.
Paris Quadrifolia, Herb Paris. Bredon Hill, and Wood above Elmley, specimens with five leaves.
Plantago Major, Greater Plantain.
——— *Lanceolata,* Ribworth Plantain. Abundant.
Polygala Vulgaris, Milkwort. Frequent.
Picris Echioides, Hawkweed Picris. Colt Nab, and Road-side.
Polygonum Convolvulus, Climbing Buck-wheat. Gardens and Fields, not unfrequent.
——— *Amphibium,* Amphibious Persicaria, *a* and *b,* Abundant in the Avon, and on its banks.
Potentilla Anserina, Silver Weed. Road-sides, everywhere.
Poterium Sanguisorba, Salad Burnet. Bredon Hill.
Prenanthes Muralis, Wall Lettuce. Cracombe.
Primula Veris, Cowslip. In great abundance.
——— *Elatior,* Oxlip. Cracombe.
Ranunculus Bulbosus, Buttercup. Frequent.
——— *Arvensis,* Corn Crow-foot. Corn Fields.
Reseda Luteola, Dyer's Weed or Weld. Bredon Hill.
Rosa Spinosissima, Burnet-leaved Rose. Sheriff's Lench, Fields beyond Clark's Hill, near Chadbury Turnpike, and Tarecote Wood.
—— *Canina,* Dog Rose. Hedges.
—— *Rubiginosa,* True Sweet Brier. Field above Cracombe House, and Colt Nab.
—— *Doniana,* (very rare). On the South side of the Worcester Road, not far from the parish boundary-stone between Fladbury and Chadbury.
—— *Arvensis,* Trailing Dog Rose. South side of Worcester Road, about one-third of a mile before leaving Chadbury parish, and Hedge near Sheriff's Lench.

Rubus Cæsius, Dewberry. Banks of the Avon, Bredon Hill, and many other places.
—— *Fruticosus,* Blackberry. Everywhere.
Sagittaria Sagittifolia, Arrowhead. River Avon.
Samolus Valerandi, Water Pimpernel. Ditch on the right side of the Avon, a little below Hampton Ferry, and Ditch near the Common.
Saxifraga Granulata, White Meadow Saxifrage. Bengeworth Leys.
Scabiosa Succisa, Devil's-bit Scabious. Colt Nab.
Scrophularia Nodosa, Knotted Figwort. Slad Wood, and Sheriff's Lench.
———— *Aquatica,* Water Figwort. Banks of the Avon.
Sedum Album, White Stonecrop. Oat-street Chapel-yard.
Sempervivum Tectorum, Houseleek. Houses and Walls in the Town and neighbouring Villages.
Sherardia Arvensis, Field Madder. Corn Fields.
Solanum Dulcamara, Woody Night-shade. Frequent.
———— *Nigrum,* Common Night-shade. Twyford Lane.
Sparganum Ramosum, Branched Bur-reed. River Avon.
Spiræa Filipendula, Dropwort. Fields at Bretforton and Bredon.
——— *Ulmaria,* Meadow-sweet, or Queen of the Meadows. Banks of the Avon.
Stachys Palustris, Marsh Woundwort. Banks of the Avon.
Symphytum Officinale, Comfrey. Banks of the Avon. Also Purple variety.
Tamus Communis, Black Bryony. Hedges and Woods. Frequent.
Thalictrum Flavum, Meadow-rue. Banks of the Avon.
Thymus Nepeta, (Calamintha Nepeta). Lesser Calamint. Shrubbery, Fladbury Rectory.
Tragopogon Pratense, Yellow Goat's Beard. Grass Fields.
Trifolium Fragiferum, Strawberry-headed Trefoil. Fields about Cracombe, and Road-side.
Tussilago Farfara, Colt's-foot. Common.
———— *Petasites, (Petasites Vulgaris).* Butter-bur. River-side and Fladbury Rectory.
Typha Latifolia, Reed-mace. Banks of the Avon.
Valeriana Officinalis, Great Wild Valerian. Banks of the Avon.
Verbena Officinalis, Vervain. Merstowe-green, The Common, and Worcester Road.
Vicia Cracca, Tufted Vetch. Worcester Road, and Avon-side.
Viola Hirta, Hairy Violet. Colt Nab.
—— *Odorata,* Sweet Violet.
—— *Canina,* Dog's Violet. Frequent.
—— *Tricolor,* Pansy. Corn Fields, frequent: principally variety *b.*
Viscum Album, Missletoe. Common in Apple and Crab Trees, abundant in Old Orchard at Church Lench, and on a Maple at Cracombe.

II.—AQUATIC AND LAND SHELLS IN THE VICINITY.

AQUATIC.

Ancylus Fluviatilis. The Avon, on Stones and River Plants.
Anodon Cygneus. The Avon, in great abundance.
Bithinia Tentaculata, (Paludina Impura). Muddy parts of the Avon.

Cyclas Rivicola. The Avon.
——— *Cornea.* The Avon.
——— *Lacustris, (Calyculata).* Ponds at the foot of Clark's Hill.
Dreissina Polymorpha. The Avon. This Shell, together with the *Anodon* and *Unio*, completely cover the bed of the River below Chadbury Mill.
Lymnæus Auricularius. Muddy inlet of the Avon, near Clark's Hill. One specimen.
——— *Pereger.* Ponds and Streams, common : small specimens only observed.
Neritina Fluviatilis. The Avon ; abundant below Harvington Mill, and found in other parts of the River.
Pisidium Amnicum, (Cyclas Amnica). The Avon, gravelly parts.
Planorbis Corneus. Ditches and Ponds connected with the Avon, and Clark's Hill.
——— *Intidus.* A stagnant Pond at the foot of Clark's Hill.
Unio Pictorum. The Avon.
—— *Tumidus.* The Avon.
Velletia Lacustris, (Ancylus l). The Avon, on Aquatic Plants.

LAND SHELLS.

Clausilia Bidens. Field near Atch Lench.
——— *Ingricans.* Abbey Wall.
Helix Arbustorum. Plentiful in Tarecote Wood.
—— *Aspersa.* Abundant.
—— *Contraria.* Boat Lane.
—— *Hortensis.* Very common.
—— *Lapicida.* Field at Atch Lench.
—— *Nemoralis.* Very common.
Pupa Umbilicata. Abbey Wall.
Succinea Putris. Banks of the Avon, among Rushes, Carexes, &c. Tarecote Wood.
Zonites Rotundatus, (Helix Rotundata). Abbey Wall. Under stones and fallen branches in Woods.
——— *Umbilicatus, (Helix Rupestris).* Abundant under top stones of Walls on Bredon Hill.
——— *Cellarius, (Helix Nitens).* Slad Wood, Sheriff's Lench, Tarecote Wood, and Bredon Hill.
Zua Lubrica, (Bulimus Lubricus). Slad Wood, Sheriff's Lench, and Tarecote Wood.

III.—FOSSILS FOUND IN THE VICINITY.

AT the commencement of this section we must observe that, the Geological formations around us are nearly all Secondary ; commencing with the Blue Lias, upon which the town is seated, interspersed with patches of marine gravel and an alluvium from the present streams, and proceeding upwards to the Marlstone and Inferior Oolite. The fossil remains in the lias strata are particularly interesting, and are abundant in the limestone quarries of Hasler, Littleton, Cleeve Prior, and Bickmarsh, especially in the latter. The Marlstone formation and its contents may be best studied at Dumbleton, whence it continues throughout the Cotswold range, and the adjacent outlyer of Bredon Hill. The Inferior Oolite, occurring above the Marlstone, is spread over the whole surface of the Cotswolds, in various beds, each distinguished by its peculiar fossils. Slate-quarries, as at Snowshill and Guiting, upon this range,

are rich in organic remains, including the pterodactylus, saurians, sharks, insects, fruits, and shells. In the alluvium near the Avon, vestiges of mammalian monsters—the elephant and hippopotamus—together with those of the bison and stag, are found, with fossil shells of a species still occurring in the river. The latter fact assuring us that those animals were located here at a comparatively recent period. At Harvington, the Red Marl of the Saliferous formation is seen immediately beneath the lias. East and west from thence—at Cleeve Hill and the Lenches—the Lias is seen resting upon the Red Marl; occasioned by a marine current having eroded the valley between; thus leaving the marl exposed, and forming an outlier in the Lias of the Lench Hills. At Cracombe, adjoining, a Fault occurs, which well deserves attention. It may be traced from Feckenham to Netherton, where, at the latter place, the marl is thrown up to a level with the lias; and in one instance a mass of earth has, by falling into the fissure, turned over, leaving the marl above the lias.

AMMONITES. Triplicatus. Slate-quarries in Cotswold-hills.
——————— *Browni, Parkinsoni, Corrugatus.* Inferior oolite.
——————— *Walcottii, Strongswaysii, Undulatus, Annulatus.* Upper Lias Shale, escarpment of Cotswolds.
——————— *Heterophillus, Morleyi, Sedgwicki, Stokesi.* Marlstone.
——————— *Conybeari, Crenata, Cheltensis, Henleyi, Taylori.* Lower beds of Blue Lias, Evesham Vale.
——————— *Greenhoughii, Elegans, Turneri, Birchii, Plenicostalus, Smithii, Obtusus.* Belemnite bed of Blue Lias.
——————— *Plenorbis.* Lower beds of Blue Lias.
Amphidesma Securiforme. Clypeus bed of Cotswold Hills.
Arca Branderi. Lower beds of Blue Lias.
Astarte Lurida. Lower beds of Blue Lias.
Belemnites. Brevis, Pencillatus. Inferior Oolite, and Belemnite bed of Blue Lias, Cotswold Hills.
——————— *Acutus, Tubularis.* Upper Lias Shale, escarpment of Cotswold Hills.
——————— *Elegans.* Ocraceus Lias.
——————— *Attenuates, Pistiliformis.* Belemnite bed, Evesham Vale.
Bones. Pterodactilus, Sharks. Slate-quarries, Cotswold Hills.
——— *Ichthiosaurus, Plesiosaurus.* Principally in the Blue Lias beds, Evesham Vale.
——— *Fish.* Cotswold Slate, Marlstone, and Lias.
——— *Elephas.* Bengeworth Brickyard, and other Alluvia of the Avon.
——— *Bos, Urus,* or *Bison.* Bengeworth and Cropthorne Brickyards, and other Alluvia.
——— *Stag.* Bengeworth, and other Alluvia.
——— *Hippopotamus.* Eckington, and other Alluvia.
Carduum Truncatum. Marlstone escarpment of Cotswold Hills, and Dumbleton.
Cidaris. Subangularis, Coronata, and *Spines.* Pisolite bed of Cotswold Hills.
Clypeus Sinuatus. Clypeus bed of Cotswold Hills.
Coprolites, of Ichthiosaurus, Plesiosaurus, and Fish. Evesham Vale.
Conifera, Branches of. Slate-quarries, Cotswold Hills.
Crenatula Ventricosa. Blue Lias, Evesham Vale.
Cuculea. Oblonga, Decussata, Glabra, Cordata. Cotswold Hills.
Dicotyledonous Plants. Slate-quarries, Cotswold Hills.
Fucoid Plants. Lower beds of Lias.

Gryphæa Gigantæa. Marlstone, escarpments of Cotswolds.
——— *Machullochi, Incurva, Obliquata.* Belemnite bed of Lias.
Hippopodium Ponderosum. Belemnite bed of Lias.
Insects. Beautiful impressions of wings and other parts are found in the Oolite Slates, Marlstone, and lower beds of Lias.
Mactro Gibbosa. Inferior Oolite of Cotswolds.
Modiola, four species. Inferior Oolite of Cotswolds.
Monatis Decussata. Inferior Oolite of Cotswolds.
Mya v *scripta.* Inferior Oolite of Cotswolds.
Nantilus Truncatus. Inferior Oolite of Cotswolds.
———*Striatis.* Belemnite bed of Blue Lias.
Natica Gentii. Inferior Oolite, Cotswold Hills.
Nerinæa. Inferior Oolite of Cotswolds.
Nucula Clariformis. Upper Lias Shale.
Ostræa Numina, and several others. In Blue Lias Beds.
Pachioduon Listeri. Lower beds of Blue Lias.
Patella Rugosa. Inferior Oolite, Cotswolds.
Pecten Lamellosus. Slates of Cotswolds.
——— *Vimenius.* Inferior Oolite, Cotswold Hills.
——— *Lens.* Roe Stone.
——— *Equivalvis, Depressa.* Marlstone.
Pentacrinus. Pisolite and Lower beds of Blue Lias.
Pholodomia Ambyna, Febicula, Lyrata. Inferior Oolite, Cotswolds.
Pinna Mettalloides, Tetrogona. Inferior Oolite, Cotswold Hills.
——— *Offinis.* Marlstone.
Plagiostoma Cordiformis. Slates of Cotswolds.
——— *Leviusculum.* Inferior Oolite.
——— *Biplicata.* Roe Stone.
——— *Gigantæum.* Blue Lias.
Pleurotomaria Anglica. Marlstone and Lower beds of Blue Lias.
Saurians. Ichthiosaurus, Plesiosaurus. Blue Lias and Strata above.
Sauroid Fish and Scales. Blue Lias and Strata above.
Trigonia Impressa. Slates of Cotswold.
——— *Costata, Clavalota, Striata.* Trigonia Grit, inferior Oolite.
Terrebratulæ. Nearly twenty species. Inferior Oolite.
——— *Fimbria.* Oolite Marl.
——— *Concinna.* Oolite Marl and Marlstone.
——— *Tetraedra.* Marlstone.

APPENDIX

OF

DOCUMENTS AND INSCRIPTIONS.

APPENDIX.

No. I.—LETTER FROM CLEMENT ABBOT OF EVESHAM, TO CROMWELL LORD PRIVY SEAL.—CIRC. A.D. 1538.

Miscellaneous Letters, temp. Henry VIII; Series ii. *vol.* x. *In Augmentation Office.*

To the Right Hoñable & my singler good Lorde my Lord Pryvye Seale.

RIGHT Honorable and my moste singuler good Lorde, after my most humblie dutye and most entier thanks for all your goodness showyd unto me. Theis be most instantly to desire yow to contynewe my good Lord as long as I do not des've the contrary, and yf I doo then I am contentyde to be ordred accordyng to my demerits. So it is my good Lorde that abowt ij yeres passide a Gentylman one of the Kyng's servandis called Mr. Wev' [Wever] brought the Kyng's graēs Lrēs of instance unto me for certeyn pasturs called *Powdon*,[1] at whych time in cōsideracōn that hit pleasid you to accept a lytle fee of o^r^ Howse,[2] I declaryd unto you by my frynds Doctor Leigheton & Doctor Gwent that I colde in no wise spare the seyd Pasturs, for hit is the chyff mayntenñce of o^r^ Howsholde as well for the ꝑvision of o^r^ beoffs [beeves] as mutton & other necessaries, and besowght yor advice & Councell for the contentacyon of the seyde Gentylman; and notw^t^standing that I did (accordyng to your advice) make answere to o^r^ Sov'ayn Lorde's Lrēs that the pastures was such that I could in no wise spare, wherew^t^ the Kyng's Hyghnes was ryght well contentyd, but ev' sens Mr Wev' hath boron me great grudge and hath imagenyd many weys to have me deposed, and he hath seyd (as by the report of his s'vands which was spokyn to my face) that he had aūctie to put me downe and to make whom he wolde Abbott here, as hit will more at large appere in a byll made of his Demeanure, which this berer can showe your Lordship; and as I am enformed he doth not cease folowyng his malice towarde me. Wherefore I beseche yow to cōtynewe my good Lorde, so that I be not this wrongfully trowbled nor vexid by occasion of the seid Gentilmā: and as conc'nyng the Priorye of Alcettur[3] I will ꝑforme ev'y thyng accordyng as I dide at large declare unto Master Richarde Cromwell at his late beyng here; besechyng yor honor to accept this my rude Lre. and to delyv' me from the malicyous suyts & vexac'ons wch the said Gentylman doth dayly Imagyn agenst me onely be-

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[1] Still known by this name, and situate in the parish of Church Honeybourne.

[2] The "lytle fee" of Bribery, accepted even by the "vycar generall of the hole church of England!"

[3] Alcester Priory, Warwickshire, subordinate to Evesham Abbey.

cause I wolde not grant hym the seyd Pastures. As knowes owre blessid Lorde, who ev' p's've your honor dayly to encrease to his pleasure. Amen. At Evesham the vii day of Octobre.

By yowr bowndyn bedman

Oct vij. CLEMĒT, Abbott ther.

No. II.—UNPUBLISHED LETTER FROM PHILIP, ABBOT OF EVESHAM, TO CROMWELL LORD PRIVY SEAL: A.D. 1539.

Misc. Lett. temp. H. VIII. ser. ii. *vol.* x. *Aug. Office.*

To the Right hon'able Lord Pryvey Seall and Vycar generall of the hole Church of England.

MY bounden dutye most humblye remembrid hit may please your good Lordshipe to to be adv'tiside, wherein tymes past I have declared unto your Lordshipe the contynuall suet of Master Wever for a pasture allwaies heretofore occupiede by my p'decessors for maynten'nce of hospitalitie in our poure Monastery. And for as moch the said Master Wever hath purchased of late the king's most honerable Lrēs for the same unto me, beinge your most bounden Bedysman and only by your goodness p'ferryde to occupye the rome of Abbott here and having none other to whom I may have refuge but only unto your good Lordshipe, remembringe that I never hard any man yet repent by putting trust and hope in your goodnes, I was so bold to desire yor most favorable ayde in this my great necessitie firmelye trusting the King's Highnes, knowing by your Lordshipe our great necessitie will take this our stay in goode parte, and where of late I have receavid your Lordships Lres. cōmaunding me by the same that I sholde obeye all such order as Maister Doctor Leighe sholde take with me for our sell [cell] in Lancastershere callyd Penwortham. So it is my good Lord Master Doctor Leighe[4] hath directed his Lrēs unto me cōmaunding me by the same to send for the Pryour there and all other my Bretherne to come home to Evesham, and that I sholde appoint other honest secular prystes to s'rve in ther places, and for bycause diverse meanys and suetis hath ben made unto me for a s'rvaunt of my Lord Chancelar's to have the said sell in farme, I know not what is meanyed by Master Docter Leighe his cōmaundment therein or what prejudice thereby myghte ensue to our poure Howse, I humblye desire your good Lordshipe to helpe hime nowe which knoweth not what to doo and hath none other refuge or trust but onelye in yor good Lordship as knoweth or savyor Christe, who ev' kepe and contynewe your good Lordshype in honor. From Evesham, the xxvi day of June.

Your most bownden Bedman

PHILLIPP, Abbott there.

No. III.—ORIGINAL LETTER FROM THE ABBOT AND CONVENT OF EVESHAM, TO CROMWELL LORD PRIVY SEAL.—CIRC. A.D. 1539.

A detached Paper in Chief Clerk's Office, Chapter House, Westminster.

To the right honorable Sr Thomas Crumwell, Knight, Lorde Crumwell, Lorde Privey Seale, and Vicegerent of the Churche of England.

PLEASETH it your honorable Lordeship to have in remembraunce your pore Oratours the Abbott & Convent of the Monasterye of Evesham, in the County of Worcester, having no other comforte or refuge but onely unto your good Lordeship:

That whereas the King's gracious Majestye of his most excellent benignity and godly disposition, and for the greate zeale and continual princely love that his Highnes always hath borne to this his Churche of England, is mynded, lyke a most gracious Prince, to alter & change the Monasteries of this his Realm, as well for the true and sincere preaching and teaching of the Worde of God unto his pore loving subjects, as for the education and bringing up of Youth in virtue and true knowledge of the same, as also for the relieving and succoring of the pore, needy, lame, and impotent persons inhabiting the same his grace's realme: it may please your honorable Lordeship, of your aboundant goodnes, to tender your pore Oratours which most desirously covet and wish the true Word of God to be knowen, and also that Youth may be educate & norished in the knowlege and lerninge of the same; and further desiring the charitable succor and relief of the pore, needy, lame, and impotent people, as well in the towne of Evesham as in the countrey nigh thereunto adjoining: So that the said Monasterye, which is of the King's Grace's most noble foundation, [as endowed by Ethelred his predecessor] may be one of those Monasteries which his Grace doth so godly entend to dispose and reserve as to his princely wisdom and most gracious entent shall seem most decent and expedient, in consideration of the articles herein after declared: that is to say, for that the said Monasterye is the meetest house in all the countrey there to be reserved for any such princely and godly purpose, as well for the pleasant scytuacion of the same in goodly wholesome air, as that it is scytuate in the town of Evesham aforesaid, through which towne there is great thoroughfare and passage to Wales, as for that the said Monasterye is a house of goodly lodging and building, well repaired with all necessary houses of office belonging to the same, meet to receive the King's most noble Grace and person, with his royal Court, at such tymes as shall please his Highnes to repair, or have recourse to the said parties: And the said Monasterye is scytuate within the principalitie of Wales and nigh where the King's most honorable Councel of his Marches of Wales doth continue, and is in the ready way to receive and lodge all such noblemen as shall fortune to have cause to resort toward or froward the said Council, and also nigh adjoyning to the Shire of Warwick in the which there is no Monastery standing; and that the said Monastery is exempt from the Bishop, having a goodly jurisdiction in itself, in the hinderance and hurt of no person, and near immediate to the King's Grace as supreme Head of his Church of England: And that the same Monastery is and hath been always reputed a house of keeping of good hospitality, and hath good provision for the same; And is out of debt save onely to the King's Grace for part of the First Fruits, about the sum of £800, which is payable at sundry days yet to come: And that there is no such Monastery to all intent within the compass of 12 miles of the same. Furthermore, humbly advertising your Lordeship that the said towne of Evesham is well inhabited and likewise is well repaired at the onely cost and charge of the said Monasterye, wherein there is few Inns and not able to receive and lodge all such noblemen as shall repair and resort to the same towne, nor have any good provision for such purposes without the said Monasterye; And that within the same towne and the countrey nigh adjoining to the same be divers and many pore, needy, lame, and impotent people, which daily have succor and relief of the said Monasterye:

[4] The general visitation of the monasteries, which led to the suppression of the smaller houses, began in the autumn of 1535, under the immediate direction of Cromwell: one of whose most active agents was Dr. Legh.

with other more like good considerations herein not mentioned, which shall not onely seem for the commonweal but also for the maintaining of the King his Grace's said towne and his pore subjects the inhabitants of the same towne and the countrey nigh adjoining to the same, by whom your said pore Orators, for the true declaration of the premises, are contented to be reported. And your said Orators, during their lyves, according to their bounden duties, shall pray unto Almighty God for the long preservation of your good Lordship's estate, long to endure to his pleasure. Amen.

No. IV.—LETTER FROM PHILIP HOBY, ESQ. TO JOHN SCUDAMORE, ESQ.[5]

Referred to on page 145.

AFTER my right hartty commendacions hadd, where at my last communycacion hadd with yow I desyred yow that I myght have hadd some partt off the stone that shuld be solde at Evisham ffor my money, the princypall and best whereoff, as I am informed, ys sold, yett fforasmoche as my necessyte which shall shorttely happen in buyldyng wyll requyre a grett partt off that stone that ys unsold there, this shalbe, therefore, right harttely to desyre and praye yow that ye wyll sell me resydew that there remaynyth, and I will paye thereffore yeven as ye shall thynke reasonable. And iff ye shuld nott shew me this pleasure, I were lyke in tyme of my necessyte to be very destitute; and as consernyng the spoyle or waste that ye wrate to me off that hath be done there, I assure yow both I and myne be gyltles thereoff, besydes that hit did cost me money to persons ffor a long tyme nyghtly to weche and to take hede lest any thyng shuld to be mysordered there. I trust alsoo that att your there beyng and others the kynge's highnes' commyssyoners, ye remember that there was no lytell spoyle made, and I promyse yow sythens then your departure therehence there hath byn nothyng mynyshed to my knowlege; and iff it bee, I wold the offenders were ponysshed to the example of other. Thus I wyll leve to wrytt unto yow any more at this tyme, trustyng that we shall mete shorttely and talke thereoff more largely, commyttyng yow to Godde's tuycion, who preserve yow with as good health as I wold to my selff, desyryng to use me as ye know ffor your assuryd to my power.

Wrytten at the Courtt, the last of October:

To the Right Worshipfull and my especyall good ffrend, master Johan Scudamore esquyer, this be delyvered.

Your lovyng ffrend
PHELYP HOBY.

No. V.—CONVENTUAL LIST OF BENEFACTORS TO THE MONASTERY.

"*Hæc sunt Nomina Benefactorum, fratrum et sororum viventium, Monasterij Eveshamiæ, scripta per fratrem Thomam Wynchecombe Præcentorem,* A. D. MCCCCXLIIII."—Cott. MS. Vitellius E xvii.

DOMINUS dominus Willelmus Nevyle, dominus de Fawkenbrugge, miles.
Edwardus Nevile dominus, de Bergevenye.
Domina Elizabeth Boteler, uxor de .....
Johannes Hende } armigeri et filij ejus-
Johannes Hende } dem E. Botelar.

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[5] Scudamore and Burgoyne were the king's officers charged with the monastic property transferred within this county.

Margareta.
Dominus Thomas Stanley, miles et Johanna uxor ejus.
Dominus Ricardus Howzton, miles, et Margareta uxor ejus.
Henricus Howzton, Alicia, Sibilla } filij eorum.
Dominus ..... Baioniensis Episcopus.
Dominus Karolus Whyesdenes, sacerdos.
Johannes Kyngeston, armiger.
Johannes Byrkehed generosus, et Elianora uxor ejus.
Willelmus Wynton ..... uxor ejus.
..... Folkes, et Margareta uxor ejus.
Alicia Archerd, de Worcetria.
..... Milleward de Evesham ..... Agnes uxor ejus.
Matild. .....
Ricardus Philippus.
Christiana Hondy, de Evesham.
Agnes Adames, de Salford.
... Smyth, de Lenchewykeet ... uxor ejus.
..... Monke.
..... Davyes, ... Boole } de Bretford.
..... Carpynter de, et Alicia uxor ejus.
A ..... uxor ejus de Wykewon.
..... Smyth, uxor ejus de Bengeworth.
Et J. Mynstrell, Tho. Harper.
Nicholaus Dyer, mortuus non habet breve.
Nich. ..... uxor ejus.
..... redynge.
Will. Lyddelow.
Tho. Ynddekynne, Glasyr.
Ric. Plumar.
Laurencius Bocher, et Alice uxor ejus, et Petronell fil.

Names of other Benefactors, Brethren and Sisters[6] *then living:* A.D. 1444, 23*d of Henry VI.*—From fol. 251 of same MS.

Dominus Th. Ascheby.
Johannes Walle, et Maria uxor ejus.
..... Segysborow.
Joh. Barbur, et Margareta uxor ejus.
..... Bodicote, et ..... uxor ejus.
..... Tetbury, et Alicia uxor ejus.
Joh. Schypston, et Alicia uxor ejus.
Th. Osteler, et Juliana uxor ejus.
Juliana Coke.
Dns. Joh. Irelond, rector de Met.
Dns. Will. Redyng, rector de Welersey
Will. Godehorus.
Ric. Adams, et Alicia uxor ejus.
Joh. Hyath Tornor, et Marg. uxor ejus.
..... Logne et ..... uxor ejus.
Elionora Stafford, domina de Grafton.
Will. Pulsdon, armiger.
Th. Holford, armiger.
Joh. Pembrok, et Elizabeth uxor ejus.
Will. Crowdar, et Elizabeth uxor ejus.
Th. Sadeler, et ..... uxor ejus.
Will. Tayler, et Margeria uxor ejus.
Rob. Honyat, et Alicia uxor ejus.
Dns. Will. Stok. Capell.
Joh. Zeonge, et Marg. uxor ejus.
Rob. Wystanus, et Johanna uxor ejus.
Joh. Ferchlo, et Alicia uxor ejus.
Dns. Henricus, Pantri, rector de Stow.
Th. Aston, civis Lond. et Amicia uxor ejus.
Wills. Gregory, civis Lond.
Agn°. Barue . . . . . vi^{d}.
Agn°. Haly . . . . . xx^{d}.
Sara Ritic . . . . . xii^{d}.
Magister Leodowycus Suddu, Baccalarius Juris canonici.
Walterus Welsche, generosus.
Magister Adam Seucher.
Henricus Wolley.
..... Bradley.
Symon Cowebryge.
Wills. Godebehere.
Ricardus Smarte.

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[6] "Lay people of all sorts, men and women, married and single, desired to be enrolled in spiritual fraternities; as thereby enjoying the spiritual prerogatives of pardon, indulgence, and speedy dispatch out of purgatory."—*MS. in Fosbroke's British Monachism*, 8vo. p. 173.

Johannes Kynge.
Laurentius Moyne, et Agnes uxor ejus.
Wills. Broysaldowne, et Emota uxor ejus.
Georgius Capul.
Thomas Henley.
Johannes Rolnes, et Alicia uxor ejus.
Ricardus Mynsterworth, et Sibilla uxor ejus.
Mauritius Panter, et Johanna uxor ejus.
Willelmus Golde, et Elizabeth uxor ejus.
Edwardus Arthur, et Johanna uxor ejus.
Johannes Aleyn, et Matilda uxor ejus.
Johannes Huntley.
Henricus Crocher.
Johannes Barbone.
Hugo Jones, et Elizabeth uxor ejus.
Matheus Grenys.
Johannes Hale.
Johannes Mylys, breviator Xpo. Cantuar. sancti Augustini, et de Broys fuit hic vigilia sancti Mathæi apostoli.
Johannes Devell, breviator de Stodley et Bordesley, fuit hic die Veneris post festum exaltationis snctæ crucis.

Other Benefactors.—Cott. MS. Vitellius E xvii., *incidentally*, on fol. 229.

Philip, son and heir of Walter Cook, of Evesham.
Walter Morice, of Evesham, son and heir of Maurice de Baddeseye.
John de Bampton.
Walter Credan, son and heir of John Credan, of Worcester.
Simon de Hocwyk, called also Howyk, of Honwyke.
Simon, son of the aforesaid Simon.

"*The Principal Benefactors of Evesham Monastery.*"—Compiled from Harl. MS. 3763, and copy of lost MS. in Dugd. Mon. ii. 14 b.

Ethelred, king of the Mercians—son of king Penda—the Founder.
Ceolred, king of the Mercians, son of Ethelred the Founder.
Kenred, king of the Mercians, son of Wulphere.
Ethelbald, called also Ethelard, king of the Mercians, son of Alwy.
Offa, king of the Mercians, son of Tunfrith.
Beortulph, king of the Mercians.
Offa, king of the East Saxons, son of king Sigher.
Ailric, son of king Osher.
Ethelred, king of England, brother of king Edward the Martyr.
Canute, king of all England.
Ethelward or Aylward, governor of the Wiccians under king Kenred.
Ufa, earl of Warwick.
Warin Bushell.
Richard Bushell, son of Warin.
Albert Bushell, son of Richard.
Robert Bushell.
Galfred Bushell, son of Robert.[7]

No. VI.—CHARTER OF WILLIAM I. CONFIRMING TO THE ABBEY OF EVESHAM LANDS IN THE SHERIFFDOM OF WARWICK.

Translated from MS. Cott. Vesp. B xxiv.

WILLIAM King of the English to W. the Bishop and R. the Sheriff greeting: I ordain and command you, as to Adelwin the Abbot, with respect to the Lands of the Church of Evesham, namely—Saltford, and Edicestun, and Milecote, and Ragele',

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[7] The names of Benefactors were solemnly read at the high-altar during mass, from tablets which were called "Diptycha."—*Mores Catholici*, 8vo. 1844, p. 35.—And at the present day, in the Oxford University pulpit, the preacher in "bidding prayer" recites the names of the founders and benefactors of his own college or hall.

and Arrowe, and Eccleshal, and Hildeburgwrth, and Grafton, and Withlakesford, and Dorsiton, and other lands which he hath in the Sheriffdom of Warewic, that you take heed that he may hold them in great honour peaceably; and that he hath and holdeth them for the use of the Servants of God, with my good peace and protection. And I command thee, R. Sheriff, not to suffer any one to do wrong to the Abbot, in any matter, because I will not permit it; but will that he shall hold his own possessions fully, with sac, soc, and all customs; and if any one presumes to do injustice to him and he makes complaint to me, I will afford him full satisfaction as to the matters of which he complains.

No. VII.—CHARTER GRANTED BY WILLIAM II. TO THE ABBEY.

Translated from MS. Cotton. Vesp. B xxiv.

WILLIAM King of the English to Urso the Sheriff, and other Sheriffs and Officers under whom the Church of Evesham holds lands, greeting :—Know ye that I will and command that the said church shall have and hold all the honour pertaining to it in peace and liberty, with the lands, and under such laws and customs, as to clerks and laymen, as it ever held them in the time of King Edward, and of my father, and from me; and as claimed by the Abbot when he pleaded before me against the Bishop S.[8] and objected to the interference of that prelate or any other powerful person to the prejudice of the rights and privileges of the Church of Evesham. Therefore if the Bishop or any other should make any claim on the Abbot as to the privileges granted to his church by my Father or by me, he shall not be bound to answer the plea, except in my court. Neither shall the Bishop hold ordinations or synods there alone, or by his sole authority, unless he is requested by the Abbot so to do.—This Charter was written in the year of the Incarnation of Our Lord, 1100, by the command of King William.

Witnesses :
A. Archbishop of Canterbury.
M. Bishop of London.
R. Bishop of Lincoln.
R. Bishop of Durham.
G. Abbot of Westminster.
R. Abbot of St. Albans.
EUDO, the Steward.
W. the Chancellor.
And many other Barons.

Dated, Winchester,
at the Paschal feast.

No. VIII.—CHARTER OF HENRY I. CONTAINING A GRANT OF THE HUNDRED OF BLACAHURSTE TO THE ABBOT AND MONKS OF EVESHAM.—*Translated from Harl. MS.* 3763, *fol.* 69.

HENRY King of England to the Archbishops, Bishops, Abbots, Earls, Barons, Sheriffs, and Officers, and to all his liegemen, French and English, in all England, greeting : Know ye that I have granted and by my present Charter confirmed to God and the Church of the Blessed Mary of Evesham, to the Abbot and all his Successors, and to the Monks there serving God, and their successors, that they shall

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[8] Samson Bishop of Worcester, who died A.D. 1112.

have and hold, in frank-almoigne, the Hundred of Blacahurste, with all things pertaining to it, as their full and free property. See ye that no Sheriff or any of his officers shall question their legal right to it. I will also and firmly command, for the health of my soul and those of my ancestors that the Abbot and Monks shall have and hold all their lands and possessions, in all places wherever they have lands, in good peace, freely, quietly and honorably, in churches, in tithes, in other property, in parishes, in wood, in plain, in meadows, in pastures, in waters, and mills, in paths and highways, likewise in all other places, with sac and soc, tol and teme, and infangthof, and customary rights, exempt from pleas of the shire and hundred, from geld and Dane-geld, from hidages and talliages, from taxes for building or repairing castles, roads, and bridges, from murchre,[9] and carriage, and purveyance, and from every secular service, and servile work, and from scutage, save and except the service for four knights' fees and a half, in military expeditions which I undertake in person. Also, on the petition of Randulf, Chancellor, I will and allow that at Edwardestowe shall be a port and a market on Thursday every week, and that the said Church of Evesham shall have there for ever all customs and dues, for the use of that church, as I have myself in all my ports and burghs. And I will and command that the Abbot and Monks and their servants shall be exempt from toll throughout all England for all goods which their men can attest to be their own property.

Witnesses:	ANSELM, Archbishop [of Canterbury].
	THOMAS, Archbishop [of York].
	SAMSON, Bishop [of Worcester].
Dated, Westminster	ROBERT, Earl of Mellent.
[prior to Nov. 18, 1100,	HENRY, Earl of Warwick.
when Abp. Thomas died].	URSO DE ABITOT [Sheriff].

No. IX.—VALUATION OF THE ABBEY POSSESSIONS, AS GIVEN BY THE ROYAL COMMISSIONERS.

Abstracted and translated from Roll 33 *Henry VIII. in Augmentation Office, entitled "Monasterium de Evesham: Comput' Ministrorum Domini Regis."*

Parish of Saint Lawrence.	£	s.	d.	£	s.	d.
Rents of Assize	1	1	5			
Rents of Customary Tenure	33	1	9			
In Farm	41	16	1			
Half fee in farm, in the town of Evesham	6	13	4			
Rent of the site of the monastery, with the demesne land						
The Chamberlain's Chamber	0	13	4			
Perpetual payment from the Church of St. Lawrence [made by the curate to the abbot and his successors—see p. 169]	3	13	4			
				86	19	3
Parish of All Saints.						
Rents of Assize	1	5	0½			
Rents of Customary Tenure	16	3	2			
Rents of tenures at the will of the Lord	51	11	3½			
Divers Farms	36	12	0			

[9] Synonymous with "murage," a tax levied for repairing the walls of fortified towns.

	£	s.	d.	£	s.	d.
Rent of the Mill, with the Fishery	15	6	8			
Half fee in Farm, in the town of Evesham	6	13	4			
Perpetual Yearly Payment from the Vicarage of All Saints [made by the curate to the abbot and his successors].	4	0	11			
Rents to the Registrar	0	4	0			
Dues of Wood	0	9	4			
				132	5	9
Domain of Bengeworth.						
Rents of Customary Tenure	21	1	0			
Rents of Tenures at the will of the Lord	21	4	10			
Divers Farms	12	15	4			
Rent of the Fulling-mill	6	0	0			
Rent of Site of Manor-house, with the Demesne Lands	5	6	8			
Farm of the Tythe of Grain	23	10	8			
Perquisites of Courts	0	13	10			
				90	12	4
Site of the Monastery, "etc."						
Rent of the Site, with the Demesne Land	44	8	10			
Farm of the Tythe of all Grain within the Domain of Bengeworth	23	10	8			
Farm of the Tythe of Grain, "etc." in Hampton	27	4	4			
Lands in Lenchwick	8	0	0			
Farm of the Tythes of Norton and Lenchwick	25	11	8			
Farm of the Tythe of Grain, "etc." in Offenham	15	0	8			
Ditto in Badsey, Aldington Wickhamford, "etc."	16	6	0			
Ditto in Littleton, "etc."	29	8	8			
Corn Rents in Talton	1	1	4			
Farm of Tythes in Willersey	10	2	2			
Farm of the Tythe-wool in Church Honeybourne	0	12	0			
Rents reserved in Offenham	7	3	0			
Rents to the Registrar	6	12	8			
Fluctuating Rents	2	9	5			
Rent of the Swannery	0	1	8			
				217	13	1
County of Worcester.						
Manor of Great and Little Hampton	63	11	7			
Manor of Norton and Lenchwick	65	13	2			
Manor of Offenham	42	16	7			
Badsey and Aldington	30	8	1½			
Manor of Wickhamford	17	5	6			
Church Honeybourne	11	9	0			
Domain of Middle Littleton, with South and North Littleton	65	3	4			
Manor of Bretforton	53	13	1			
Manor of Wolbarowe	15	13	2¾			
Manor of Atch Lench	9	9	2			
Abbots' Moreton	16	5	0			

	£	s.	d.	£	s.	d.
Manor of Tadlington, otherwise Tatton	41	8	9			
Manor of Ombersley	163	10	2½			
Manor of Bradwell with Donnington, in Stowe	53	12	1			
				649	18	9¾
County of Gloucester.						
Manor of Willersey Bartram	32	11	6			
Manor of Saintbury	26	4	2			
Manor of Malgersbury	38	12	11			
Manor of Upper Swell	14	8	4			
Manor of Taddlestrop	22	13	5			
Manor of Burghton and Clopton, "etc."	78	15	2½			
				213	5	6½
County of Warwick.						
Manor of Wethely	6	18	0			
Manor of Abbots' Salford, "etc."	16	15	0			
Manor of Sambourne and Whitlaxford, with Ilmington	49	10	2			
				73	3	2
County of Northampton.						
Manor of Badby	56	8	11			
Domain of Newnham	48	6	2¼			
				104	15	1¼
City of London.						
Sundry rents and payment from St. Michael's Church, Cornhill	19	6	8	19	6	8
County of Dorset.						
Wymbourne Minster	7	0	0	7	0	0
County of Lancaster.						
Cell of Penwortham, annexed to the late monastery, rent of the Manor	99	5	3	99	5	3
County of York.						
Lands lately purchased by the abbot of Evesham, in Brodmerston	2	3	0	2	3	0
Lands and possessions of the Priory or Cell of Alcester, annexed to the late monastery of Evesham	74	6	8	74	6	8
Distant Bailiwicks [Ballivat Forensicor']	15	18	9½	15	18	9½
Rents in Badsey, Aldington, Wickhamford, Church Honeybourne, and Littleton	42	16	8	42	16	8
Total amount [addition corrected.]				£1829	10	1

No. X.—ARMS AND INSCRIPTIONS IN THE CHURCH OF ST. LAWRENCE.

On Flat Stones in the Chantry.

IN memory of a most dutiful child and affectionate sister, Isabella REA, she died 24th August, 1753, aged 41 years.—William Clarke ADAMS died 14th February, 1827, aged 57 years.

Here lies the body of John BEARCROFT, gent. son of John Bearcroft, esq. of Meergreen in this county, who died March 14, 1753, aged 35 years.—Also the body of Jane DICKENSON, daughter of Mr. Thos. and Jane Dickenson of the city of Worcester, granddaughter of John Bearcroft, esq. who died September 23, 1753, aged 4 years.—Also near this place lies the body of Philip BEARCROFT, gent. who was buried May 14, 1729, aged 44 years.

Underneath is interred the body of Isabella REA, relict of William Rea, gent. She died in the 82^{d} year of her age, June 18th, 1763.—Also the bodies of her 2^{d} and 4th sons, who died in their minority.

Here lyeth the body of William REA, gent. who departed this life the 7th day of October, 1715, aged 57 years and 5 months.—Sub hoc saxo requiescit Samuel, filius primo genitus Gulielmi REA et Isabella Conjuge, qui mensibus octo non plene per actis hanc vitam terrenam cum cœlesti commutavit, die 24° Apr. A.D. 1701.

Arms.—*A chevron engrailed, between three garbs.*—Here lyeth the body of Nicholas FIELD, gent. who died the 25 January, 1702, aged 65 years.

Here lieth the body of M. Anne FIELD, who departed this life the 14th of January, 1697, aged 84 years.

At the feet of her grandfather here lieth Elizabeth the daughter of Mr. Nicholas FIELD. She died the 24th of March 168$\frac{2}{3}$, aged one year and seven months.—Here lieth the body of Jane the wife of Nicholas FIELD, gent. who departed this life November the 9th, 1723, aged 43, and had by him thirteen children, eight sons and five daughters.

Sacred to the memory of Mr. George EVANS, who died the 17th of June, 1799, aged 67 years.—Also to the memory of Alice EVANS his wife, who died the 5th of March, 1820, aged 80 years.

By the side of her sister, of the same name, here lieth Elizabeth the second daughter of Mr. Nicholas FIELD. She died the 28th of June, 1684, aged four months.—Also here lieth the body of Nicholas FIELD, gent. who departed this life the 21st day of September, 1739, aged 62 years.

Flat Stones near the Pulpit.

Here lie the bodies of two children named Susannah, daughters of William PHILLIPS, gent. and Mary his wife, who died young.—Also the body of William the * * [The remainder is broken off].

Here lies the body of William WESTON, of this parish * * * [Also broken away].

Here lieth the body of Mary Ann SMITH, the daughter of Thomas Smith, esq. and Ann his wife, who died an infant, November the 21st, 1776.

Flat Stones near the Altar.

Here lieth the body of James MITCHELL, who died March 10th, aged 39 years.

Here lieth the body of Sarah, wife of Joseph TREBELL, preacher of God's word. She deceased August 7th, 1665. An. Ætat. 31.

To the respected memory of a faithful servant, Elizabeth HERSLEY, who was buried November 11th, 1781, aged 66 years, is this stone laid, by one who had experienced her worth.

Tablet in South Aile.

In humble resignation to the divine will, John Hanbury BEAUFOY died at Upton-Gray, Hants, on the 28th November, 1836, aged 74 years. This tribute of affection is here placed by Agnes his afflicted widow.

No. XI.—ARMS AND INSCRIPTIONS IN ALL-SAINTS' CHURCH.

Flat Stones in North Aile, beginning westward.

HERE lieth the body of Isaac BAYLIES who deceased December 4, 1673, aged 21 years.

Here lie the bodies of William and Ann BAYLIES, the latter of whom died February 23, 1732, aged 44; the former February 14, 1760, aged 78.—Also Anna Maria, their daughter, who died January 18, 1719, aged 4 months and 13 days.

Here lieth the body of Abigail, daughter of John BAYLIES, who died November 11, 1681, aged 15.

Here lieth the body of Joseph BAYLIES, who died January 15, 1675, aged * * .

Here lieth the body of * * * wife of Mr. JARRET SMITH, buried November the 2d, 1675, Æt * * * .—Also here lieth the body of Mr. Jarret Smith above-named, who was buried August the * * * 1681.

In memory of Woolhouse LAMBE, gent. who departed this life April the 15th, 1755, aged 50 years.—Also of Mrs. Susannah BIDDLE, daughter of Joseph Biddle, esq. and Mary his wife, who departed this life May the 1st, 1774, aged 18 years.—Also in memory of Elizabeth, wife of the above-named Woolhouse LAMBE, gent. who departed this life the 11th day of November, 1781, aged 74 years.—Also in memory of Alice PREEDY, wife of William Preedy, gent, and daughter of Joseph Biddle, esq. and Mary his wife. She departed this life the 15th day of August, 1787, aged 46.

ARMS.—*Between three escallops, a chevron engrailed charged with a fleur-de-lis. Crest, a buck's head attired issuant from a mural coronet.*—In memory of William BIDDLE, gent. who was interred in this vault the 21st of May, 1738, aged 57.—Also of Alice his wife, who died February 5th, 1738-9, aged 64.—Also of Mark BIDDLE, the son of Mr. Joseph and Mary Biddle, who died October the 8th, 1739, aged seven months.—Also of Joseph, the son of the above-named Mr. Joseph and Mary BIDDLE, who died October 20th, 1742, aged five days.—Also of Susannah, the daughter of the said above-named Mr. Joseph and Mary BIDDLE. She died December 11, 1753, aged eleven days.—And also of Joseph BIDDLE, esq. father of the above-named three children, and of twelve others who survived him. He died April 1st, 1766, aged 52.

To the memory of William BIDDLE, gent. who was interred in this vault on the * * of May, 1738, aged 57.—Also of Alice BIDDLE, his wife. She died February the * * aged 64.

Here lieth the body of Elizabeth MORGAN, late widow of William Morgan, gent. and sister to Mr. Joseph PEARCE, whose remains lie near this place. She was buried March 18, 1758, aged 59 years.

Here lies in a vault the body of Sarah the wife of Mr. Thomas NORRIS, who departed this life January 27th, 1758, aged 41 years.—At the east end of the vault lies the body of Mr. Joseph PEARCE, father of the said Sarah Norris, who was buried December 18th, 1743, aged 52 years.—Also the body of Elizabeth the wife of Mr. Joseph PEARCE, who was buried June 20, 1752, aged 66 years.

Elizabeth, wife of Robert MIDDLETON, was buried April the 3d, 1735, aged 72 years.—Also Robert, her husband, who departed this life August the 21st, 1736, aged 66 years.

In memory of Mrs. Mary HIGGS, second wife of the Rev. Mr. John Higgs, who died October, 1728, aged 67.

Here lieth the body of Sarah, the wife of William KETTLE, who departed this life December 15, 1720, aged 24 years.—Also William KETTLE, their son, who died October 14th, 1720, aged five weeks.—Also of William KETTLE, who died 17**, aged *—And * * his second wife, who died * * the 31st, 1776, aged 70.

Here lieth the body of Elizabeth, the wife of Mr. William JONES, who was buried March the 15th, 1672.

Here lieth the body of William * * LEN, gent. He deceased September the 15th, 1677, aged 77.

Here lies the body of Mary BOVEY, the wife of Thomas Bovey of this town, Dyer, who departed this life January 4th, 1734, aged 46 years.—Thomas BOVEY, gent. died November 8th, 1762, aged 73.—In hoc sepulchro conditur Josephus GREEN, obiit 14° die Decembris, 1771, ætat. suæ 56.

Here lies the body of Robert COOKES, esq. descended from the ancient family of the Cookes of Tarbick, in this county. He was twice mayor, and more than 46 years justice of the peace in this corporation. He died January 29th, 1747, aged 83.—Also of Jane COOKES, second wife of Robert Cookes, esq. She was daughter of Nicholas Feild, esq. one of the justices of this borough. She died July 10th, 1741, aged 38.—Also of Jane the daughter of Robert and Jane COOKES. She died February 23d, 1733, aged 8 years and 5 months.

Here lies the body of William Cookes BAYLIES, son of William Baylies, Doctor of Physic, by Elizabeth his wife, the only surviving daughter of Robert Cookes, esq. deceased. He was born December 22, 1748, and died November 4, 1749, aged 10 months and 13 days.—Also the body of Robert COOKES, gent. only surviving son of Robert Cookes, esq. by Jane his wife. He was born June 10, 1729, and died April 3, 1750, aged 20 years, 8 months, and 24 days.

Tablets in the North Aile and Transept, commencing Westward.

Sacred to the memory of William PREEDY, gent. alderman of this borough, second son of the Rev. Benjamin Preedy, D.D. rector of Great Brington, in the county of Northampton. He married Alice, daughter of Joseph Biddle, esq. and departed this life June 25th, 1833, aged 87 years.

Near this place is deposited the body of Ann BAYLIES, daughter of the Rev. Mr. Theo. Fletcher, rector of Godington in the county of Oxon, late wife of William Baylies, gent. of this town, apothecary, who finished her course the 23d of February, 1732, in the 44th year of her age, and 15th year of her marriage.—ARMS: *Baylies impaling Fletcher.*

Near this place lies interred the body of William BAYLIES, gent. He was born January 11th, 1683, and died February 14th, 1760, aged 77.—ARMS: *Sable eleven mullets, or; quartering, argent upon a chief of the first three battle-axes of the second in pale.*

In memory of the Rev. Paul CARDALE, who married the sister of Mr. Thomas Suffield of this town. He died March the 1st, 1775, aged 70.—Also of Sarah, the wife of the Rev. Paul CARDALE, who departed this life April 12th, 1767, aged 65.

In memory of Mr. John SUFFEILD of this town, mercer, who died December 1st, 1712, aged 68 years.—Also of Mary, his daughter, who died December 6th, 1706, aged 7 years.—Also of Mrs. Jane SUFFIELD, his wife, who departed this life the 9th of September, 1727, aged 65 years.—Also of two of their grandchildren, John ALDERSEY and Sarah BALL, who died in their infancy.—Also of Thomas SUFFIELD, gent. who died 27th July, 1768, aged 80.

On a costly monument against the west wall. ARMS :—*Baylies; over all in an escutcheon of pretence, Cookes as an heiress.*—Near this place, within her family vault, lies the body of Elizabeth BAYLIES, wife of William Baylies of this town M.D. and daughter of Robert Cookes, esq. nephew to sir William Cookes of this county, bart. She was born April 6th, 1727, and died April 28th, 1754, aged 27 years. *"Ignoscenda quidem, scirent si ignoscere Manes."*

Cull round her tomb each object of desire,
Each purer frame, informed with purer fire,
Bid her be all that cheers or softens life,
The tender sister, daughter, friend and wife;
Bid her be all that makes mankind adore,
Then view this marble and be vain no more.

Near to this lieth the body of Thomas BARTLET, gent. a professor of physick, buried the 16th of February, 1686, aged 49.—Margaret his loving wife erected this monument.

ARMS :—*Three coats quarterly. In the first and fourth three acorns quartering a lion rampant gorged and chained; in the second upon a chevron engrailed three mullets pierced between three bugle horns; in the third a cross patee.*—Sacred to the memory of Harriot, youngest daughter of Thomas SMITH, esq. late of this borough, who departed this life August 29th, 1830, aged 48 years.

Near this place lieth the body of George GARDNER, esq. He died November 2d, 1729, aged 70.

ARMS :—*Sable, a chevron ermine between three kites' heads erased.*—In the middle alley of this church is buried the body of Mr. Samuel GARDINER, gent. late of this parish, who deceased October 7th, 1689, aged 69.—This monument was erected by his son, Mr. G. Gardiner.

Stones in the Central Aile, beginning West.

Here lies an unprofitable servant, Samuel MORRIS, who died June 6th, 1745, aged 74 years.

To the memory of Captain William BURGIS, who died December 31st, 1812, aged 84.

Mrs. Elizabeth SMITH, wife of Captain William Smith, died August 15th, 1793, aged 49 years.—In the same vault is deposited the remains of Capt. William SMITH, who died December 4th, 1800, aged 70 years.

Here lieth the body of Jane, the wife of George HOPKINS, mercer. She died April 9th, 1691, aged 30.—Also George and Thomas, Elizabeth, and * * *

Upon an ancient stone once inlaid with effigies of a male and female, has since been cut—Interred in the vault beneath * * the remains of Major-general Jeffery AMHERST, who died the 15th day of June, 1815, aged 66 years.

Sub hoc saxo requiescit Samuel filius primogenitus Gulielmi REA ex Isabella conjuge: qui mensibus octo non pleno peractis hanc vitam terrenam cum celesti commutavit die 24° Apr. A.D. 1704.—Here lieth the body of William REA, who departed this life the 7th October, 1715, aged 57 years and 5 months.

Here lieth the body of Elizabeth, the daughter of Francis and Ann PERKINS, who died the 5th of April, 1693.—Also the body of Francis, son of the same parents, deceased July 20th, 1693.—Also the body of Tristram HALTHAM, father of the said Ann Perkins, deceased March 26th, 1705.—Also of Ann, daughter of the above parents, and wife to Charles ARMSTRONG, gent. deceased 10th December, 1715, in the 21st year of her age.

To the memory of Rebecca, the wife of Richard HERBERT, daughter of John Turbervile, gent. who departed this life December 12, 1769, aged 85.—Also of the above-named Richard HERBERT, who departed this life February 18th, 1771, aged 75 years.

In a vault underneath this stone lieth the body of Thomas DAVIS, who departed this life March 29, 1803, aged 59 years.—Likewise Elizabeth wife of Thomas DAVIS, who died October 13, 1800, aged 41 years.

Here lieth the body of Mr. William CANNING, who departed this life January 10, 172¾, aged 63 years.—In memory of Ann, the daughter of Mr. William CANNING, who was buried August 22d, 1710, aged 9 months.—Also the body of Mrs. Elizabeth CANNING, wife of the above-named Mr. William Canning, who was buried March the 10th, 1729, aged 58 years.—Also the body of Mrs. Elizabeth MURGATROYD, daughter of the above William and Mrs. Elizabeth Canning, wife to Mr. John Murgatroyd, surgeon, who departed April 17th, 1741, aged 34.

Arms:—*A Saltire fimbriated with a crescent in chief, impaling a fesse dancette between three leopards' faces.*—Sub hoc lapide requiescit pars terrena Theophili ANDREWES, armigeri, per annos xiii. jam proxime elapsos hujus burgi Recordatoris, quem mors dura oppressit xviii. die Decembris, A.D. 1670, ætatis suæ xlvii.

To the memory of Edward INGLES gent. who was buried in this vault November 25th, 1732, aged 38.

Here lieth the body of Elizabeth PALMER, who departed this life May 25, 1692, aged 59 years.—Also here lieth the body of John SMITH, the son of John and Elizabeth Smith, who departed this life January 11th, 1700, aged 23 years.—Also here lieth the body of Mr. John SMITH, who departed this life June 3, 1705.

In the * * * * * * who departed * * 1711, aged * * * * He married Mary the daughter of Giles Harewell, * * Here also resteth the body of * * * who died Jun * *

In memory of Mr. William PICKARD, mercer, who departed this life the 21st of August, 1702, aged 40 years.—Also here lieth the body of Elianor the daughter of Mr. William PICKARD and Dorothy his wife, who died March 9th, 1671, aged 1 year and 9 months.—Also here lies the body of Mr. William CHURCHLEY, who departed this life the 25th October, 1753, aged * 3 years.

To the memory of the Hon. Major-general Sharington TALBOT, who died the 18th day of November, 1766, aged 67.—Harriot SMITH died August the 29th, 1830, aged 48 years.

Here lieth the body of * * ROBERTS, who was buried * * day of October, 1704.—Also his wife Ann ROBERTS, daughter of Willam DYER, who departed this life the 26th day of * * 1738, aged 73 years.

Upon an ancient slab formerly inlaid with the effigies of a female and her two husbands, has *since been cut*—John TOVEY died August the 10th 1809.—Here lieth interred the body of Edward BASELY, who deceased the 25th November, 1657.

On a similar slab once inlaid with effigies of a male and female kneeling—a brass plate remains, inscribed—Orate pro animabus Roberti WYLLYS et Agnetis, uxoris ejus, quorum animabus propitietur Deus. Amen.

To the memory of Mary, the daughter of the Rev. Mr. Philip GARDNER, Rector of Tackley, in the county of Oxford, and Godington, in the said county, who died March 31st, 1722, aged 64.

An ancient slab indented for two or more effigies, partly covered by one of the pews and stripped of all its brasses, presents at present no inscription.

Tablets in the Central Aile, beginning Westward.

Near this lieth the body of Mrs. Elizabeth GARDNER, * daughter of Samuel Gardner of this parish, gent. who died October 26, 1713 aged 47.—ARMS : *Gardner.*

Beneath a female bust in a medallion—To the pious memory of Mary BULSTRODE, late wife of Edward Bulstrode, esq. of Tewkesbury, and second daughter of Samuel Gardner of this place, gent. Ob. 18 Nov. 1715, Ætat 61.—ARMS :—*Quarterly ; first, sable a buck's head with an arrow in the mouth argent, attired or. Second and third, argent a chevron gules between three squirrels sable. The fourth as the first, impaling Gardner.*

Sacred to the memory of Mrs. Ann BODLEDGE. This excellent woman died the 10th September, 1781, in the 64th year of her age, and her remains are deposited not far from this monument of her virtnes.

In this church is interred the body of Mr. Thomas MARTIN, who departed this life December 14th, 1679, having been mayor of this borough in the years 1652, 1677, and justice of the peace eight years together, a terrour to evill doers and a praise to them that did well, aged 60.

Flat Stones in South Aile, beginning Westward.

Here lieth the body of Ann the wife of Nathaniel GOOLD, who departed this life May 14, 1689, aged 68.—Also the body of Edward COMPTON, who died July 12th, 1693, aged 63.—Also Mathews, the son of Edward and Hester DEAKINS, he died March 9th, 172$\frac{8}{9}$, aged ten days.—Also Elizabeth their daughter, who died 28 October, 1732, in the eleventh year of her age.

In a vault beneath this stone are deposited the remains of William BONAKER, eldest son, and at the time of his decease only child, of William Bonaker, surgeon of this town, by Elizabeth his wife. He was born April 25, 1779, and died greatly lamented by his parents, January 25th 1785, aged 5 years and 9 months.

Here lies in a vault the body of Mr. John BAYLIS, son-in-law to Mr. Thomas Fairfax, deceased, only son of Mrs. Eleanor Fairfax. He departed this life Dec. 15, 1758, aged 43.

Here lieth the body of Eliz * the wife of Mr. Barthol. HUCKELL, who departed this life July 13, 1707, aged 36.—Also of their children, William aged 5 years, and Ann HUCKELL, aged 1 year.—Also here lie the bodies of John aged 10 days, Thomas aged 2 years, and William aged 2 years, sons of Thomas and Elizabeth DUNN, who died in 1737, 1740, and 1742.

Here lies the body of Mr. Thomas FAIRFAX, who departed this life September 18, 1754, aged 50.—Also of Mrs. Eleanor FAIRFAX, who was buried Nov. 12, 1759, aged 72.

Here lieth the body of Thomas YARNOLD, gent. who died July 20th, 1743, aged 48.—Also the body of Elizabeth his wife, who departed this life March 20th, 1768, aged 60 years.—Also the body of Thomas YARNOLD, esq. their eldest son, who departed this life October 12, 1766, aged 37.—Also of Elizabeth YARNOLD their daughter, who died November 19th, 1782, aged 51.—Also of Mary her sister, who died July 15, 1795, aged 61.

Here lieth the body of Ann GOODWIN, who departed * * * day of December, in the 14th year * * *

Here lieth the body of Judith YEARNALD, late wife of Mr. Thomas Yearnald, buried October 13th, 1660.—Also Mary daughter of Thomas and Elizabeth YEAR-

NALD, who died July 26, 1727, aged 1 month.—Winifred the wife of Mr. Thomas HEMMING, and daughter of Judith Yearnold above-named, died November 10th, 1727, aged 64.

Here lieth the body of Margaret, the wife of Thomas RUDGE, gent. who desired to be buried in this church, and departed this life December 24, 1731, aged 71 years.—Also here lieth the body of Margaret HARRIS, the daughter of Thomas and Jane Harris, baker, who died May 6th, 1740, aged 13 years.—On the left hand lies the body of Jane, the wife of Thomas HARRIS above-named, who died March 16th, 1752, aged 61.

Here lies the body of John WHITFORD, gent. who died May 3d, 1723, aged 51.—Also, on the left hand, the body of John his son, who was buried July 9th, 1745, aged 37.—Also the body of Jane, wife of John WHITFORD, gent. who died November 16th, 1748, aged 80.—Also of Ann, wife of Mr. John MURGATROYD and daughter of the above-named John and Jane Whitford. She died Nov. 28th, 1770, aged 63.

Here lies the body of Isabella, wife of Mr. Thomas ANDREWS, apothecary, eldest daughter of John Woodward, esq. of Avon Dasset, in the county of Warwick. She died August 25th 1728, aged 40 years.—Also of John and Elizabeth, children of Thomas and Agnes ANDREWS. John died April 27th, 1733, aged 5 weeks, and Elizabeth died April 1st, 1737, aged 1 year.

North of an ancient slab indented for a male effigy, brasses gone :—Here lieth the body of Mrs. Margaret LILLY, widow of Mr. Thomas Lilly, late of the city of Worcester. She died April 9th, 1740, aged 77.—On the left lie the bodies of four children of Mr. Joseph PREEDY and Mary his wife, viz. Mary, Sarah, Joseph, and Margaret, who all died young.—On the same hand lieth the body of Mr. William PREEDY, eldest son of the above-named, who died March 4th, 1741, aged 25.—Also Charles PREEDY, their youngest son, who died June 22d, 1742, aged 2 years and 7 months.—Also of Eleanor PREEDY, their daughter, who died May 20th, 1755, aged 20 years and 5 months.—To the memory of Mr. Joseph PREEDY, who died April 15th, 1770, aged 80.—Also Mary, his wife, died January 4th, 1761, aged 74.—Also Joseph, their son, died December 19th, 1784, aged 53.

Here occurs another ancient slab, indented for a male between two female effigies, brasses gone.

Another ancient slab adjoins the above, nearly covered by a pew, part of the inscription which ran round it remains thus—**comminix: dicta Johanna.**

Chantry of Abbot Lichfield.

At the entrance lies a slab of Petworth marble, covering the grave of the aforesaid abbot. The indenture for his effigy in intagliated brass may still be traced, but that, together with the inscriptions once engraved upon surrounding plates of metal, is removed.

Tablets upon the East Wall of the Chantry.

ARMS.—*Azure, three demi-lions rampant couped, proper.*—Sacred to the memory of Henry HARRISON, late of this place, attorney-at-law, eldest surviving son of Thomas Harrison, late of Fulford in the county of York, esq. deceased, who died March 13th, 1809, aged 21.

Sacred to the memory of Emma, the wife of Edward SAVAGE, attorney-at-law, and third daughter of Thomas Harrison, late of Fulford in the county of York, esq. deceased, who died September 12th, 1817, aged 27.

Tablets in the South Aile, beginning West.

Sacred to the memory of Thomas HILL, who died July 3d, 1793, aged 22.—Elizabeth HILL died 24th July, 1796, aged 24.—Mrs. Mary HILL, mother of the above, died April 24th, 1825, aged 79.—Mr. Thomas HILL, husband to the above Mrs. Mary Hill, and father to the above Thomas and Elizabeth, died November 8th, 1825, aged 77.

Sacred to the memory of Mary THOMAS, who departed this life June 28th, 1804, aged 44.—Also of Richard King THOMAS, husband of the above; ob. 27th December, 1812, aged 54.

In a vault near this place are deposited the remains of Joseph THOMAS, who departed this life February 19th, 1807, aged 54.—Also of Ann, his wife, who died March 4th, 1829, aged 65.—Eliza, their daughter, died 27th July, 1791, aged 2 years.—Also of Susannah HYATT, who died February 20th, 1838, aged 89.

Sacred to the memory of Frances, wife of Joseph Middlemore THOMAS, and her infant child, who died at Cheltenham July 26th, 1841, aged 45.—Also Eliza, daughter of the above, who died November 12th, 1834, aged 11 months.

Near this place is interred Mr. Thomas DUNN, late of this town. He died 25th March, 1777, aged 66.—In the same vault is deposited Mr. Bartholomew DUNN, his son, who died February 25th, 1786, aged 42.—Mrs. Elizabeth DUNN, widow and mother of the above, died January 9th, 1792, aged 88.—Also Mrs. Ann DUNN, relic of the above named Mr. B. Dunn, who died December 13th, 1810, aged 70.—Also two relatives, Elizabeth and Mary WALKER, who died May 17th, 1785, and January 19th, 1788, both in the 17th year of their age.—Mrs. Ann SUFFIELD, sister to these two, and wife of Mr. S. W. Suffield of this place, died January 6th, 1801, aged 26.

In memory of Thomas HUMPHRIS, who died May 10th, 1820, aged 71.—Also of Elizabeth, his wife, who died September 19th, 1834, aged 78 years. This tablet is inscribed by their affectionate daughter.

In memory of William Clarke ADAMS, late of Evesham, surgeon, who died February 14th, 1827, aged 57 years.

ARMS: *those of the Borough.*—To the happy memory of Mr. William MARTIN, mayor of this borough in 1623, '32, and '41, and justice of the peace 8 years together. He departed this life June 14th, 1653, aged 70.—Also of Ann, his wife, who lived with him 43 years, and had by him 13 children. Surviving him full three years and near three months, she fell asleep September 12th, 1656, aged 68.—Thomas Martin their only surviving son erected this monument.

ARMS:—*Barry of five argent and gules; impaling in a field of the second a chevron azure charged with three annulets, between three bucks' heads caboshed.*—Sacred to the memory of John STOVIN of Redness, Yorkshire, late of this borough, who departed this life August 10th, 1819, aged 44 years.

ARMS:—*Gules a chevron or beneath a chief ermine; impaling azure three demi-lions rampant coupee proper, beneath a canton argent charged with a torse of the field.*—Sacred to the memory of Thomas BLAYNEY, esquire, of the Lodge, near this place; a deputy-lieutenant and clerk of the peace for this county, from the year 1807 till his death December 1st, 1838, aged 75 years, universally honored and respected in his public capacity, and enthusiastically beloved and venerated in his domestic circle.

Flat Stones in the Chancel, beginning West.

Here lieth the body of Thomas HULL, gent. He married Sarah Parsons, daugh-

ter of Giles Parsons, esq. of Overbury, and died March 12th, 1724, aged 42.—Also the body of the said Sarah, who died February 2d, 1741, aged 63.

Here lies the body of Agnes-Jane, daughter of Theophilus and Agnes WALFORD, who died an infant, April 1, 1770.

Here lieth the body of Thomas, the son of Mr. Martin BALLARD, buried December 19, 1677, aged 2 years, 3 months, and 15 days.

To the memory of Thomas ASHFIELD, gent. who died September 24th, 1766, aged 63.—Beneath are inscriptions nearly defaced for Elizabeth his wife, and two of their children.

In this vault are deposited the remains of Elizabeth, wife of William RUDGE, gent, who died October 10th, 1721, aged 48.—William RUDGE died July 17th, 1734, aged 60.—Isabella, their daughter, wife of Richard HORNE, gent. died January 23, 1780, aged 74.—Richard HORNE died October 13th, 1786, aged 84.—Isabella HORNE died June 18th, 1821, aged 83.—William Rudge HORNE, gent. died June 25th, 1821, aged 83.—Elizabeth HORNE died January 26th, 1829, aged 97.

Here lieth the body of Mr. Philip BALLARD, buried January 17th, 1670, aged 38.—Mary the wife of Mr. Henry HALFORD died February 8th, 1683.—Mr. Henry HALFORD died June 30th, 1705, aged 55.—Francis HALFORD gent. died May 27th, 1744, aged 68.—Elizabeth wife of Abraham HATHAWAY died August 1st, 1812, aged 43.

Here lieth the body of Mr. John BALLARD, who was buried September 6, 1675.

Here lieth the bodies of George HOPKINS of this town, mercer, and Jane his wife. She died April 9th, 1691, aged 32. He died June 4th, 1704, aged 54.—Also of five of their children, George, Thomas, 2 named Elizabeth, and James, who died between the ages of 6 weeks and 12 months.—On the right hand lies the body of George HOPKINS, mercer, only surviving son of the above, who died January 24th, 1724, aged 41.—Also Deborah his wife, daughter of the Rev. Mr. Robert HILL, Rector of Condicote, co. Gloucester, who died May 15th, 1745, aged 61.—Also a son and two daughters of George and Deborah HOPKINS, who died in infancy.—Also of Jane their daughter, who died April 5th, 1753, aged 38.

Sub hoc saxo requiescit Thomas filius natu tertius Gulielmi HOPKINS, S. T. P. ex Averilla conjuge. Ob. Sept. 2, A.D. 1686.

Here lieth the body of Edmond YOUNG, who died September 20th, 1657.—Also Richard YOUNG, gent. his third son, who died January 1st, 1690.

To the memory of Edward FIELD, gent. twice mayor, and many years alderman and justice of peace of this borough, buried December 31st, 1682.—Also of Anna his wife, who died August 26th, 1698, in her 87th year.—Also of William MEREDITH, gent. who died 13th April, 1741, aged 42.

M. S. Mariæ, Johannis JEPHCOTT, S. T. P. hujus ecclesiæ rectoris per xv. annos, uxoris fidissimæ. Ob. Oct. 18, 1680.—The Rev. Mr. Evan JONES, Vicar of this Parish, of St. Lawrence, and Cleeve Prior, died 26th December, 1768, aged 52.—Here lies the body of the Rev. Edward COOPER, A. B. thirty-nine years vicar of the united parishes of All-saints and St. Lawrence. He was buried December 23d, 1807, aged 69.—Also Hannah wife of the above, who was buried December 4th 1791, aged 45.—Also Elizabeth GOULD, daughter of the Rev. Edward Cooper. She was buried January 24th, 1789, aged 18 years.

ARMS:—*Argent fretty vert; impaling a chevron vair between three demi-lions*

rampant, langued and guled.—Here lieth the body of Thomas CAVE, gent. who departed this life February 24th, 1713.—Also of Elizabeth, his wife, daughter of R^d^. FISHER, of Welliugton, in co. Northampton, gent. who departed this life May 29th, 1714.

ARMS :—*Cave.*—Here lieth the body of Richard CAVE, gent. who departed this life July 23d, 1718, aged 50 years.—Also the body of Mrs. Ann CAVE, who departed this life September 7th, 1728, aged 58 years.

In memory of Mary STRETCH, who departed this life June 13th, 1780, aged 64.—In this vault are deposited the remains of the Rev. Henry Portmore COOPER, A. B. twenty years vicar of All-saints and St. Lawrence in this borough, and of Hampton in the same county. He departed this life February 7th, 1827, aged 51.

In memory of Thomas KEYT, son of John Keyt, mercer, who died 29th September, 1699, aged 6 months.—Also William, son of John KEYT, who died June 29th, 1704, aged 11 months,—and Joseph, who died February 14th, 1705.

Tablets in Chancel, beginning West.

Sacred to the memory of Sarah, wife of Capt. MAURICE, R. N. who departed this life June 6th, 1815, aged 21 years.

To the memory of Thomas HORNE, gent. citizen of London, who is buried near this place. He died in 1769 at the advanced age of 84.—David Horne, A. M. rector of Wanstead, Essex, his only surviving son, erected this tablet.

ARMS :—*Cave.*—Near this lieth the body of Adam CAVE, gent. who succeeded his father in the town-clerk's place of this corporation. He departed this life October 18th, 1698, in the 29th year of his age. This monument was erected by his sisters.

ARMS :—*Cave, impaling a bend charged with three water-bougies between six leopards' faces, langued.*—Here lieth the body of Anne the wife of Richard CAVE, gent. who departed this life 13th October, 1685.

Here lieth the body of Thomas the son of Richard CAVE, of Leighsinton, in this county, gent. who died March 24th, 1661.

ARMS : *in a lozenge, Cave.*—P. M. S. Juxta altare quod frequenter adibant simul infra dormiunt Elizabetha et Anna, Ricardi CAVE filiæ. Ad funus elatæ virgines ambæ vixerunt annos, Elizabeth lxx. Anna lviii.—This monument was erected by Mrs. Cave's nephew, Rd. Rudge, whose father and family are buried in the church-yard of this church.

Sacred to the memory of Margaret, the wife of Thomas BLAYNEY, esq. and daughter of the late Charles Welch, esq. who departed this life March 15th, 1814, aged 67.

In memory of Samuel BARON, clerk, A. M. Master of the Free School in this borough, who departed this life November 17th, 1713, aged 33.—Also of Mr. John FRENSHAM who died March 24th, 1717, aged 65.—Also Mary daughter of John FRENSHAM and John his son who died young.

ARMS : *Sable and argent, a chevron between two heads erased counterchanged of the field; impaling paly of six argent and gules, a bend or.*—At the foot of this altar resteth the body of Sarah, wife of John MITCHEL, clerk, LL.B. vicar of this church. She departed this life November 25th, 1721, aged 33.—Also three of their children, Thomas, Mary, and Sarah, who all died young.—The Rev. John MITCHEL interred in the same vault, died September 9th, 1724, aged 41.—Also Ann his daughter, by Mary his second wife, who died December 31st, 1725, aged 10 months.

No. XII.—ARMS AND INSCRIPTIONS IN BENGEWORTH CHURCH.

Flat Stones in North Aile, beginning West.

ARMS: *a fess between three leopards' faces.*—Thomas WATSON, gent. Feby. 27, 1689, aged 77.—Also Thomas WATSON, gent. son of the above, who departed this life May 17th, 1716, aged 76 years.—Also Mrs. Frances WATSON, daughter of Thomas Watson, sen. of this parish, gent. who departed this life the 20th day of Nov. A.D. 1727, aged 80.

Mr. William ALLARD, died Feby. 27, 1828, aged 63 years.—Elizabeth, wife of Mr. William ALLARD, died August 20th, 1830, aged 63.

Mary JEPHCOTT, relict of John Jephcott, D.D. late rector of All-saints, in Evesham, dyed Dec. 9, A.D. 1728. Ætatis 95. She was the eldest daughter of Thomas Watson, esq. of Bengeworth.

Flat Stones in Central Aile, beginning West.

Richard the son of Be * * * Catherine COTHER, baptized March 10th, 1710. Buried April 10th, 1711.

Here lieth the body of William WOODWARD, who departed this life February the 11th, 1661, aged 65.—Also Jane, his wife, who departed this life February 8, 1681, aged 61.

On a stone partly covered by a pew. * * * Also Mary his wife, who died 8th Feby. 1778 aged 54.—Also Peter their son, who died 29th Decr. 1774, aged 22 years.—Also Mary MORSE, who departed this life Nov. 8th, 1808, aged 78 years.

M. P. aged one year and 3 quarters.

On a stone partly concealed by a pew. * * * Catherine the wife of Peter PENNY, gent. who departed this life the 18th of Sept. 1735, aged 53 years. And to the memory of the said Peter PENNY, who died the 23d of May, 1751, aged 68 years.

Flat Stones in South Aile, beginning West.

In memory of John RODD, gent, who died Jany. 16th, 1804, aged 59.—Also Mary his wife, who died Aug. 6th, 1782, aged 38.—Also of John RODD, their son, who died Sep. 15th, 1799, aged 21.—And of Charles and Ann, both died in their infancy.

In memory * * * * of Thomas PRATT, who died Decr. 4th, 1828, aged 30 years.—Also Jane, wife of Thomas PRATT, who died Feb. 27, 1827, aged 31 years.

In the vault underneath, the remains of William MORSE of this burrow, merchant, were deposited Novr. 1st, 1791, in the 58th year of his age.—Also of Mary MORSE his widow, the 17th day of December, 1796, in the 66th year of her age. The remains of Sarah WORRALL, Spinster, aunt of Mary Morse, were deposited in the vicar's garden, Evesham, the 24th day of January, 1782, in the 74th year of her age.

Here lyeth the body of Richard FISHER, who departed this life June the 24th, 1683, aged 50.

To the memory of Mr. Joshua SMITH, who departed this life the 16th day of February, 1775, aged 57 years.—Also of Benjamin Frensham, son of the above-named Joshua Smith, who was buried ye 20th day of Dec. 1768, aged 7 years and 2 months.—And also of Mr. John SMITH, son of the said Joshua, who departed this life the 15th day of May, 1781, aged 36 years.

* * * * * sister to Joseph BIDDLE, of Evesham, esq. * * * the body of the R * * William GOTHER, who departed this life April 10 * *, aged 28 * *

Beneath this stone is interred the body of Mary PREEDY, daughter of William Preedy, esq. of Little Hampton, in this county and Alice his wife, daughter of Joseph Biddle, esq. late of Evesham, she was born August 8th in the year of our Lord 1771, and died Feby. 10th, 1827.

To the memory of Joseph Weston WALTER, of this parish, who departed this life June 12th, 1835, aged 74 years.

Wm. PENNY, 1773.

In memory of George DAY, gent. who died Feb. 13th, 1830, aged 66 years.—Also of Mrs. Elizabeth DAY, wife of George Day, gent. of this parish, who departed this life March 13th 1809, aged 54 years.—Also Mrs. Mary EDEN, daughter of the above George and Elizabeth Day, and wife of Mr. Thos. Eden, of Ilmington, in the county of Warwick, who departed this life the 26th day of April, 1809, aged 23 years.—Also Ann, wife of George DAY, gent. who died March 31st, 1825, aged 51 years.—Also Charles, son of George and Ann DAY, who died March 24th, 1816, aged 10 months.—Also Elizabeth, daughter of William and Ann FEREDEY, who died in infancy.

To the memory of Mr. George DAY, junior, who died Decr. 13th, 1827, aged 31 years. Elizabeth, daughter of the before-named George and Elizth Day, and wife of the Rev. Henry TULL, died March 22d, 1833, aged 42 years.—William Henry, son of the above named George and Ann DAY died April 27th, 1835, aged 22 years.

To the memory of John STICKLY, who was justice of the peace and alderman of this borough, and died in his mayoralty, the 18th day of February, 1795, aged 69 years.—To the memory of Elizabeth the wife of John STICKLY, and daughter of Peter Penny, gent. who departed this life Nov. ye 3^{d}, 1762, aged 38 years. In hope of a happy resurrection.

Tablets in North Aile.

In memory of Mrs. Frances WATSON, who dyed Novr. the 20th, 1727, aged 80 years.—She was a true member of the Church of England; which she gave convincing proofs of, not only by a constant attendance, but also her extraordinary bounty to it. She was of a meek and humble spirit, an Israelite indeed, in whom was no guile, exemplary in her conversation, loving mercy and doing justly; but as all our doings without charity are nothing worth, she was chiefly carefnl in the discharge of that noble and truly christian duty, being always ready both to give and forgive. This also to the memory of Mrs. Thomazin WATSON, spinster, who dyed December 6th, 1737, aged 81. And gave to this church 100 pounds, and to the poor of this parish, 50 pounds for ever, and lyeth by her cousin, Mrs. Frances Watson.

Thomas WATSON, born in Evesham, and freeholder of this towne, in his lyfe thare a good benefactor to the poore and careful for the good qviet and repose of his neighbours, resteth heere in the assvred hope of the resvrrection, and left issew by Agnes his first wyfe v. sonns and v. davghters, and by Elyzabeth his second wife one sonn and three davghters: he died in the yere of ovr Lorde 1561, & of his age LXX.

Monument in South Aile.

Upon an ample tablet, surmounting a sarcophagus sustaining a recumbent effigy of the deceased—ARMS: *Or, a chevron sable between three roses expanded proper,*

impaling in a field of the second, three workmen's hammers argent, two in chief and one in base.—To the memory of John DEACLE, esq. a native of this parish, who tho' of obscure extraction yet by the divine blessing on his industry acquired an ample fortune, was made an alderman of London, left a monument of his benevolence and gratitude to the place of his birth more lasting than this marble, in the establishment and endowment, among others, of a Charity-school for the education, cloathing and apprenticing of 30 poor boys of this borough. He was born June 10th, 1660 : died 20th Sept. 1709.

ARMS : *Sable between three eagles' heads erased, upon a chevron as many mullets ; impaling argent a bend sable charged with three fleurs-de-lis or, surmounted with a chief sable charged with a lion passant.*—In memory of Thomas BEALE, M. A. son and heir of Thomas Beale, esquire, of Newent, in the county of Gloucester ; who during an incumbency of 22 years, from 1771 to 1793, laboured amidst many infirmities as a servant of the great Shepherd and Bishop of Souls and a pastor of his flock in this parish, to promote their best interests by preaching Christ crucified as the only way to life, and ground of hope in death ; and who continued the remainder of his days at his mansion in this parish, till called hence to a house not made with hands, by Him who is the resurrection and the life. He departed this mortal life June 14, A. D. 1805, in the 72d year of his age, and his remains were interred with his father's at Newent. Reader, he being dead yet speaketh : remember thou art a sinner, the captive of death, yet made to exist for ever : and now, to-day, while it is called to-day, flee from the wrath to come, and rest not without timely acquaintance with that Saviour who hath opened the kingdom of heaven to all believers.

Tablet within Altar Rails.

Sacred to the memory of William ACTON, of Bengeworth, gent. died 7th February, 1787, aged 50.—Catherine, relict of the above-named William ACTON, died 15th April, 1817, aged 80.—Elizabeth daughter of John Reeve, of Kinver, first wife of John ACTON, of Bengeworth, and afterwards of Cheltenham, died 20th July, 1797, aged 33.—Eliza, daughter of Thomas Gammon of Hereford, second wife of the said John ACTON, died 30th Novr. 1830, aged 48.—Also of the above-named John ACTON, who died 28th Novr. 1833, aged 71.

XIII.—ABSTRACT OF THREE MUNICIPAL CHARTERS, ABROGATED BY THE ISSUE AND RESTORATION OF THE GOVERNING CHARTER OF JAMES I.

First Charter of James I. dated at Westminster 2d March, 1st of the king.—Abstracted from Office Copy in the Rolls Chapel.

AFTER reciting that the borough of Evesham is an ancient and populous borough, and that the burgesses thereof have from time whereof the memory of man is not to the contrary enjoyed divers franchises, as well by divers charters and letters-patent, as by divers prescriptions, usages and customs, also that two maces had been accustomed to be borne before the bailiffs of the said borough, the king at the request of his eldest son Prince Henry, incorporates the said borough by the name of the bailiffs aldermen and burgesses of the borough of Evesham in the county of Worcester, to whom he grants a common seal.

Twelve of the burgesses within the said borough to be aldermen, and twelve others

to be capital burgesses, who were to form the common council, out of which two bailiffs should be chosen, to be styled the high and low bailiff.

David Sansom, the late high-bailiff of the town, to be first high-bailiff under the charter, and Robert Allen, the late low-bailiff of the town, to be the first low-bailiff under the same.

Sir Philip Keighley, kt. Philip Gardner, sen. William Byddle, sen. James Michell, Bartholomew Mountford, Edward Walker, Hugh Lyngard, Robert Brantley, John Wynnall, Edward Bowland, the aforesaid David Sansom and Robert Allen, to be the first twelve aldermen, during life.

Philip Parsons, Thomas Farmer, Edward Smith, Edward Leper, Richard Harwood, William Chandler, Ranulph Leeke, John Priddy, Gilbert Smith, Philip Brook, John Harris, and William Robins, to be the first twelve capital burgesses, for life.

Power given to the mayor, aldermen and capital burgesses to fill up vacancies out of the inhabitants, and to elect yearly a high and low bailiff from the aldermen and capital burgesses.

Sir Thomas Challoner, kt. appointed first high steward.

Russell Andrewes, gent. appointed first town-clerk.

Power given to the body to hold civil and criminal courts.

Two burgesses to parliament to be chosen, to be elected by the bailiffs, aldermen and burgesses of the borough, and their successors.

Appoints two serjeants-at-mace.

Provides that the village of Bengeworth shall be under the government of the borough of Evesham.

Charter of Charles II. dated at Westminster, 12th June, 36th of the king.—Abstracted from Office Copy in Rolls Chapel.

After reciting that the borough of Evesham is an ancient borough, and so forth, as in the previous charter, and after allusion to the second charter of James I. now the governing charter of the borough—

The parishes of All-saints, St. Lawrence, and Bengeworth, are re-incorporated, by the name of The mayor, aldermen, and burgesses of the borough of Evesham.

Of this body, there should be nine aldermen, twelve capital burgesses, a recorder, chamberlain, and town-clerk, constituting the common-council ; from whence the officers aforesaid should be elected : and twelve other burgesses should be styled assistants to the mayor.

John Horne appointed first mayor under the present charter.

Sir John Matthews, kt. Thomas Savage, esq. Theophilus Leigh, esq. Thomas Watson, Thomas Milner, William Bird, Robert Martin, Thomas Yarnold, and Richard Young, gents. to be the first nine aldermen during life.

Thomas Harris, William Lane, William Martin, George Hopkins, Edward Walker, Martin Ballard, William Rudge, James Mitchel, Nicholas Feild, Thomas Bartlett, Jarret Smith, and John Horne aforesaid, to be the first twelve capital burgesses, during life.

Henry Halford, Thomas Harborne, Thomas Smith, Richard Hyde, John Hobbins, Richard Smith, William Walter, Edward Leatherland, Thomas Ordway, Robert Peirce, William Bolton, and Rowland Broadstock, to be the first twelve assistants, for life.

Power given to the mayor, aldermen, capital burgesses, recorder, chamberlain, and

town-clerk, to fill up vacancies; to elect the mayor from the common-council; and to choose assistants, when required, from among the burgesses of the borough.

John lord Coventry appointed first high-steward under this charter.

Henry Parker, esq. appointed first recorder, during life.

Richard Cave appointed chamberlain and and town-clerk, for life.

Power to appoint a deputy-mayor and deputy-recorder, in the cases set forth.

Other lord Windsor, Thomas earl Plymouth, Thomas Hazlewood, kt. Thomas Savage, esq. Theophilus Leigh, esq. Thomas Watson and Thomas Milner, gents. appointed justices for life, together with the mayor and recorder for the time, and four aldermen to be nominated by the chamber. Power being reserved in the crown, to nominate at all times four in lieu of the five first named; who should thus become of the common-council.

Power granted to the mayor and corporation to elect a coroner.

Every member is enjoined before assuming office as aforesaid, to take the oaths of allegiance and supremacy with all other oaths, and to subscribe all such declarations and subscriptions as were or should be by any statute imposed.

Provision that no burgess whatever should exercise any suffrage until he also had sworn and subscribed as above.

The corporate body empowered to administer the oaths aforesaid, and enjoined to keep a freeman's book registering the due observance of the same.

Any alderman, capital-burgess, assistant, or burgess, absent from the borough for one whole year without license of the common-council, to lose his privilege.

Power reserved in the crown at all times thereafter to remove at its own "will and pleasure," any mayor, recorder, high-steward, justice, or any other corporate officer, whomsoever, by order in council declaring such officer to be removed. In such case, other fit person or persons should be elected within convenient time.

Two burgesses to be returned to parliament; the right of electing whom is herein restricted to the mayor, aldermen, and *capital* burgesses only.

Concludes with provisions relating to the grammar-school, as in the charter of James I.

Charter of James II. dated at Westminster, 12th September 4th of the king.—Abstracted from Office Copy in Rolls Chapel.

AFTER reciting the antiquity of the borough and its liberties, with a further recital that the several charters and letters patent granted theretofore had by reason of negligence become void, by which the corporation of the borough stood totally dissolved; and that therefore the inhabitants had humbly petitioned the royal favor to grant such liberties and privileges as the crown should deem best, in which petition "the *late* mayor, aldermen and burgesses" concurred—

The three parishes are incorporated by the name of the mayor, aldermen and burgesses of the borough of Evesham.

Provides that there should be nine aldermen, twelve capital burgesses, a recorder, and chamberlain, who should constitute the common-council, from whence the mayor should be chosen from time to time: and that there should be twelve burgesses, styled assistants to the borough.

Thomas Harris, gent. to be first mayor under the present charter, until Michaelmas, 1689.

Edward Goodier, esq. William Atwood, Holmer Lunne, Thomas Harris, John Dover, Henry Halford, Anthony Hamerton, Anthony Saubage, and James Merrick, to be the first nine aldermen, for life, unless duly removed.

Benedict Wakeman, William Stanford, Charles Notsford, Thomas Savage, Richard Griffin, Compton Hanford, John Appletree, and William Vernion, esqrs. Joseph Bovey, John Turberville, Anthony Brookes, and Nathaniel Gold, to be the first twelve capital burgesses, for life, unless duly removed.

Nathaniel Watson, Anthony Marshall, Thomas Harbone, Rowland Broadstock, William Freer, Richard Hyde, William Walter, Robert Pierce, William Rhea, William Wareing, Edward Brookes, sen. and William Masters, to be the first twelve assistants, for life, unless duly removed.

Francis lord Carrington to be first high-steward, for life.

Richard Freeman, esq. to be the first recorder, for life.

Holmer Lunne to be first chamberlain and town-clerk.

Power reserved in the crown, as in the former charter, to remove at will any officer of the corporation by writ of privy-council; and to command a new election thereupon.

Two burgesses to be returned to parliament, by the mayor, aldermen, and capital burgesses only; but their charges to be borne by the burgesses at large.

Provisions for the grammar-school, as before.

Declaration that "by virtue of his royal prerogative, the king for himself, his heirs and successors, doth dispense, pardon, remit and exonerate" all officers appointed and to be appointed in the said corporation, from taking the oaths of supremacy and allegiance, as likewise from that enjoined by the statute for regulating corporations, and from receiving the Lord's supper according to the church of England, any canon or statute whatsoever, notwithstanding, and further from subscribing either declaration under the statutes of Charles II. as well as from all criminality, conviction, pains, penalties, forfeitures, damages, prosecutions or molestations, in consequence thereof. And that the officers as aforesaid, should exercise such respective offices without taking such oaths or subscribing such declarations.

Power reserved in the crown, restraining from the exercise of office any future high-steward, recorder, or common-councillor of the borough, without the approbation of the king, under sign-manual.

XIV.—THE GOVERNING CHARTER, AT LARGE.

Dated at Westminster, 3d April, 3d James I. 1605.—*Suspended by the charters of Charles II. and James II: but restored in* 1688.—*Originals in the Chamber at Evesham, and in the Rolls Chapel, London.*[10]

Preamble. THE KING to all to whom these present letters shall come, greeting. Whereas our borough of Evesham in our county of Worcester is an antient and populous borough, and the burgesses of the same borough sometimes by the name of bailiffs, aldermen and burgesses of the same borough, and sometimes by other names, from time whereof the memory of man is not to the contrary, have had, used and enjoyed divers liberties, customs, franchises, immunities and preeminences, as well by reason of divers charters and letters-patent to them and their predecessors heretofore made and granted, as by reason of divers prescriptions usages and customs, in the same borough of antient used and accustomed: And whereas the serjeants-at-mace within the borough

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[10] NOTE that the Municipal Act, sect. i. repeals only so much of all royal and other Charters now in force relating to Boroughs, as are inconsistent with or contrary to the provisions of that Act.

aforesaid do now carry and bear and in times past for a long space have been accustomed to carry and bear before the bailiffs of the borough aforesaid, for the time being within the borough aforesaid the liberties and precincts of the same, two silver maces engraved and ornamented with the arms of the Princes of Wales.

Bengeworth

And whereas we are informed that our town of Bengeworth in the said county of Worcester doth adjoin and lie near to the same borough of Evesham, and that many controversies, dissensions, offences, riots, and other violations and disturbances of our peace, and other abuses and misdeeds, are frequently committed and perpetrated in the same town of Bengeworth, without any punishment and correction for defect of good rule and government within the said town, to the great damage, grief, disturbance and molestation as well of our residents and tenants within the aforesaid town as of the burgesses and inhabitants of the aforesaid borough of Evesham; by reason whereof our beloved subjects, as well the bailiffs, aldermen and burgesses of the borough of Evesham aforesaid, as the tenants, residents, and inhabitants of the said town of Bengeworth, have jointly and of their unanimous assent and consent humbly besought us that we would be pleased to show and extend our royal grace and munificence in that behalf, as well to the same bailiffs, aldermen and burgesses of the borough of Evesham, as to the aforesaid tenants, residents and inhabitants of the said town of Bengeworth; and that we for the better rule, government and improvement of the same borough and town would condescend to make, renew and create, as well the said bailiffs, aldermen and burgesses of the borough of Evesham, by whatsoever name or names of incorporation they have been heretofore incorporated, as the tenants, residents and inhabitants of our aforesaid town of Bengeworth, in the said county of Worcester, adjoining and lying near to the same borough of Evesham, into one body corporate and politic, by the name of mayor, aldermen and burgesses of the borough of Evesham in the county of Worcester, by our letters patent as to us should seem most meet.

Evesham & Bengeworth incorporated

We therefore willing that from henceforth for ever as well in our said borough of Evesham as in our aforesaid town of Bengeworth there should be continually one certain and undoubted method of and for the keeping of our peace and the rule and government of the same borough and town and our people there residing and of others resorting thither; and that the borough and town aforesaid from henceforth for ever may be and remain a borough of peace and quiet, to the dread and terror of evil doers and for the reward and support of the good; and that our peace and other deeds of justice and good government shall and may the better be able to be kept there; and hoping that if the said bailiffs, aldermen and burgesses of the borough aforesaid, and the aforesaid tenants, residents, and inhabitants of the aforesaid town of Bengeworth and their successors, shall be able to enjoy of our grant more ample honors, liberties, and privileges, then they will consider themselves bound more especially and strongly to do and perform such services as they are able to us our heirs and successors; and also at the humble petition and request of our most dear and well-beloved first-born son the lord Prince Henry, being the first petition which he hath made to us in our kingdom of England, of our especial grace and of our certain knowledge and mere motion have created, ordained, constituted, declared and granted, and by these presents for us our heirs and successors do ordain, create, constitute, declare and grant that the said borough of Evesham and the aforesaid town of Bengeworth in our county of Worcester, and the bounds, limits and precincts of the same borough and town, from henceforth for ever may and shall be adjoined and united

Prince's petition.

and shall be one undivided and free borough of itself: And that as well the aforesaid bailiffs, aldermen and burgesses of the said borough of Evesham, as the aforesaid tenants, residents and inhabitants of the town of Bengeworth aforesaid and their successors, whether they have been heretofore lawfully incorporated or not, from henceforth for ever without any question or ambiguity hereafter to be made, may and shall be by force of these presents one body corporate and politic, in deed, fact and name, by the name of mayor, aldermen and burgesses of the borough of Evesham in the county of Worcester.

Style. And them, by the name of mayor, aldermen and burgesses of the borough of Evesham in the county of Worcester, one body corporate and politic, in deed, fact and name, really and fully, for us, our heirs and successors we do make, erect, ordain, constitute, create, confirm, ratify, and declare by these presents. And that they by the name of mayor, aldermen and burgesses of the borough of Evesham in the county of Worcester, may and shall be for ever hereafter persons able and capable in the law, and a body corporate and politic, and capable in the law to have, purchase, receive, enjoy, retain and possess manors, lands, tenements, liberties, privileges, jurisdictions, franchises, and other hereditaments whatsoever, of whatsoever nature, kind, name, quality or sort they may be, to them and their successors, in fee and perpetuity, or for term of life or lives, year or years, or otherwise, in whatsoever manner; and also goods and chattels and other things whatsoever, of whatsoever kind, name, nature, quality or sort they may be. And also to give, grant, demise, alien, assign and dispose of lands, tenements and hereditaments, and to do and execute all and singular other deeds and things by the name aforesaid. And that by the same name of mayor, aldermen and burgesses of the borough of Evesham in the county of Worcester, they shall and may be able to plead and be impleaded, answer and be answered, defend and be defended, in whatsoever courts and places and before whatsoever judges and justices and other persons and officers of us and of our heirs and successors, in all and singular actions, pleas, suits, plaints, causes, matters and demands whatsoever, of whatsoever kind, name, nature, quality or sort they are or may be; in the same manner and form as any other our liege people of this our kingdom of England persons able and capable in the law or any other body corporate and politic within our kingdom of England shall and may be able to have, purchase, receive, possess, enjoy, retain, give, grant, demise, assign, alien, and dispose of, plead and be impleaded, answer and be answered, defend and be defended, do, permit or execute. And that the mayor, alder-

Seal. men and burgesses of the borough aforesaid for ever, shall have a common seal to serve for doing the causes and business of them and their successors whomsoever: and that it shall and may be lawful for the same mayor, aldermen and burgesses of the borough aforesaid and their successors, the same seal, at their pleasure from time to time to break, change, and make anew, as to them shall seem meet.

Limits. And further we will, and by these presents for us, our heirs and successors grant to the aforesaid mayor, aldermen and burgesses of the borough aforesaid and their successors, That our said borough of Evesham, and the circuits, precincts, bounds, liberties, franchises and jurisdictions of the same, shall extend themselves and shall and may be able to extend through and about all the limits and precincts of the parishes of All-saints and Saint Lawrence and the borough aforesaid, and through all the town and parish of Bengeworth; that is to say from the south side of the bridge of Evesham, otherwise called Bengeworth Bridge, near a certain house there, now or formerly called *the Old Guild-hall*, by the banks of a certain river there

called Avon; including a certain park and meadow there called *Abbey Park and Meadows* towards Evesham aforesaid, unto a certain stone wall called the *Abbey Park-wall;* and from thence by the banks of the aforesaid river of Avon, unto a certain ditch or water-course, being the further bound of a certain close there commonly called *Higden Close,* near a certain mill there called *Chadbury Mill,* and from thence by the further bound and limit of the same close commonly called Higden Close, towards Lenchwick unto the highway there; and so by the same highway there unto a certain path or lane called Lenchwick Lane, otherwise Offenham Lane; and from thence by the path or lane called Lenchwick, otherwise Offenham Lane unto a certain bridge called *Offenham Bridge* otherwise Twyford Bridge; and so by the south side of the same bridge towards Evesham aforesaid unto the banks of the same river of Avon on the west side; and from thence by the banks of the same river towards Evesham aforesaid unto a certain meadow called *the Paddock,* including the meadow aforesaid and the mills commonly called *Evesham Mills,* with all the lands, pieces and weirs to the same mill appertaining or adjoining; and from thence by the banks of the same river, unto certain houses called *the Alms-houses,* including the houses aforesaid adjoining or adjacent to the north side of the aforesaid bridge called *Evesham Bridge* otherwise Bengeworth Bridge; and so by the same bridge across the river aforesaid, unto our aforesaid town of Bengeworth; and from thence through the whole town and all the parish of Bengeworth, and all the fines, limits, bounds, circuits and precincts of the same parish of Bengeworth; incircling, embracing, containing and including, all the houses, mills, fields, lands and places within the aforesaid parish of Bengeworth; by whatsoever names or appellations they are known, named or called, or heretofore have been used to be known, named or called. And further we will and by these presents for us our heirs and successors give and grant to the aforesaid mayor, aldermen and burgesses of the borough aforesaid and their successors, free licence, power and authority, and that it shall and may be lawful for the aforesaid mayor, aldermen and burgesses of the borough aforesaid and their successors to perambulate or make a perambulation or perambulations thereof, for the true and better knowledge thereof; to be had so often as it shall please them or it shall seem to them to be necessary: and this without any writ or other warrant therefore from us our heirs or successors in that behalf in any wise to be obtained or prosecuted. Perambulation.

We will also, and by these presents for us our heirs and successors grant and ordain, that from henceforth for ever there may and shall be within the borough aforesaid seven of the burgesses of the borough aforesaid to be elected in form hereafter in these presents mentioned, who shall be and be named aldermen of the same borough. And that in like manner there may and shall be within the same borough twelve other burgesses of the borough aforesaid to be elected in form hereafter in these presents mentioned, who shall be and be named capital burgesses of the borough aforesaid. And that in like manner there may and shall be within the same borough two officers to be elected and preferred in form hereafter in these presents mentioned, one of whom shall be called recorder of the borough aforesaid and the other shall be called chamberlain of the same borough: which same aldermen, capital burgesses, recorder and chamberlain of the borough aforesaid shall be of the common council of the same borough. From which same seven aldermen, twelve capital burgesses, recorder and chamberlain, being of the common council of the borough aforesaid, one from time to time shall be elected and nominated in form hereafter in these presents Aldermen &c.

mentioned, to be mayor of the same borough. We will further, and by these presents for us our heirs and successors grant and ordain, That from henceforth there may be and for ever shall be within the said borough twenty-four of the burgesses of the same borough, to be elected in form hereafter in these presents mentioned, who shall be and be named assistants of the same borough. And that the remainder of the aforesaid aldermen, capital burgesses, recorder and chamberlain of the aforesaid borough, not being in the office of mayor of the same borough, and the aforesaid twenty-four assistants, shall be from time to time aiding and assisting to the mayor of the said borough of Evesham aforesaid for the time being, in all causes, things, business and matters, touching or in any wise concerning the said borough.

May frame laws, &c.

And further, we will and by these presents for us our heirs and successors grant to the aforesaid mayor, aldermen and burgesses of the borough of Evesham aforesaid and their successors, That the mayor, aldermen, recorder and chamberlain, and the capital burgesses of the borough aforesaid for the time being, or the major part of them, of whom the aforesaid mayor of the borough aforesaid for the time being we will to be one, upon public summons to be made thereof, assembled for that purpose in the common hall, chamber or other convenient place within the borough aforesaid, may and shall have full power and authority to frame, constitute, ordain and make from time to time reasonable laws, statutes, constitutions, decrees and ordinances in writing, whatsoever, which to them or the major part of them, of whom the aforesaid mayor of the borough aforesaid for the time being we will to be one, according to their sound discretions shall seem to be good, wholesome, useful, honest and necessary for the good rule and government of the borough aforesaid, and of all and singular officers, ministers, artificers, inhabitants and residents whomsoever of the borough aforesaid for the time being; and for declaring in what manner and order the same mayor, aldermen and burgesses, and all and singular the officers, ministers, burgesses, artificers, inhabitants and residents of the borough aforesaid, shall behave, carry and conduct themselves in their offices, ministries, functions, arts and business, within the borough aforesaid, and the liberties and precincts of the same for the time being, for the further public good, common utility and good rule of the borough aforesaid, and the victualling of the same borough, and other things and causes whatsoever, touching or in any wise concerning the borough aforesaid. And that the same mayor, aldermen, recorder, chamberlain and capital burgesses of the borough aforesaid for the time being, or the major part of them, of whom the mayor of the borough aforesaid for the time being we will to be one, so often as they shall frame, make, ordain or establish such laws, institutes, rights, ordinances and constitutions, in form aforesaid, may make, ordain, limit and provide such and the like pains, punishments and penalties, by imprisonment of the body, or by fines and amerciaments, or by either of them, against and upon all transgressors or delinquents against such laws, rights, institutes, ordinances and constitutions, or any or either of them as and which to the same mayor, aldermen, recorder, chamberlain and capital burgesses of the borough aforesaid for the time being, or the major part of them, of whom the aforesaid mayor for the time being we will to be one, shall seem to be most needful, due, requisite and necessary, for the observation of the same laws, institutes, decrees, ordinances and constitutions. And shall and may be able to levy, enjoy, have and perceive the same fines and amerciaments, to the use of the aforesaid mayor, aldermen and burgesses of the borough aforesaid and their successors, without the hindrance of us our heirs or successors, or of any or either of the officers or

ministers of us our heirs or successors, and without any account to us our heirs or successors thereof to be rendered or paid. All and singular which laws, ordinances, institutes, constitutions, decrees, rights and statutes so as aforesaid to be made, we will to be observed under the pains in the same to be contained. So nevertheless, that such laws, institutes, ordinances, constitutions, imprisonments, fines and amerciaments, shall be reasonable and shall not be repugnant nor contrary to the laws, statutes, customs or rights of our kingdom of England.

First mayor alderm^{n}. &c.

And for the better execution of our will and grant in that behalf, we have assigned, nominated, created, constituted and made, and by these presents for us our heirs and successors do assign, nominate, create, constitute and make, our beloved Robert Allen, now high-bailiff of the borough aforesaid, to be the first and present mayor of the borough aforesaid. Willing that the same Robert Allen shall be and continue in the office of mayor of the borough aforesaid, from the day of the date of these presents, until the first Thursday which shall happen next after the feast of Saint Michael the Archangel next ensuing, and from thenceforth until another person shall be in due manner elected, preferred and sworn to the same office, according to the ordinances and provisions in these presents hereafter expressed and declared, if the same Robert Allen shall so long live. We have also assigned, nominated, created, constituted and made, and by these presents for us our heirs and successors do assign, nominate, create, constitute and make, our beloved Sir Philip Keighley, knight, Sir Thomas Bigges, knight, Thomas Watson, David Sansom, Robert Allen, Philip Harreis, and Philip Parsons, to be the first and present seven aldermen of the borough aforesaid, to continue in the same offices during their natural lives unless in the mean time for bad government in that behalf or for any other reasonable cause they or any or either of them shall be removed from the same office. We have also assigned, nominated, created, constituted and made, and by these presents for us our heirs and successors do assign, nominate, create, constitute and make our beloved sir David Fowles, knight, Lewis Bayly, Philip Gardiner the elder, Bartholomew Momford, James Michell, Edward Walker, Edward Bowland, Henry Smith, Richard James the elder, Gilbert Smith, John Washborne and William Robins, to be the first and present twelve capital burgesses of the borough aforesaid; to continue in the same offices during their natural lives, unless in the mean time for bad government or misbehaviour in that behalf or for any other reasonable cause they or any or either of them shall be removed from the same office. We have also assigned, nominated, created, constituted and made, and by these presents for us our heirs and successors do assign, nominate, create, constitute and make, our beloved William Bidle the elder, George Hawkins, Richard Harwarde, John Wynnall, Robert Brantley, Edward Lepper, Ralph Eake, William Allen, Joseph Phelpes, William Chandlor, John Dacle, John Predye, Philip Brooke, John Jelfe, Richard James the younger, William Hardman, Bartholomew Tolley, Robert Bishop, Philip Gardiner the younger, Arthur Godson, Thomas Andrews, Isaac Disson, Thomas Smithe, and William Pockins, to be the twenty-four first and present assistants of the borough aforesaid; to continue in the same offices during their natural lives, unless in the mean time for bad government or misbehaviour in that behalf or for any other reasonable cause they or any or either of them shall be removed.

Election of mayor.

And further we will, and by these presents for us our heirs and successors, give and grant to the aforesaid mayor, aldermen and burgesses of the borough aforesaid and their successors, That the mayor, aldermen, capital burgesses, recorder and

chamberlain of the borough aforesaid for the time being, or the major part of them, of whom the mayor of the borough aforesaid for the time being we will to be one, from time to time for ever hereafter may and shall have power and authority yearly and every year, on the first Thursday which shall happen next after the feast of Saint Bartholomew the Apostle, to elect and nominate, and that they shall and may be able to elect and nominate, one of the common council of the borough aforesaid to be mayor of the borough aforesaid: which person so elected and nominated, after the same election and nomination, that is to say from the first Thursday which shall happen next after the feast of Saint Michael the Archangel then next ensuing, for one whole year from thence next ensuing shall be and continue mayor of the borough aforesaid. And that he who shall be so as aforesaid elected and nominated into the office of mayor of the borough aforesaid before he shall be admitted to execute the same office, shall take a corporal oath before the last mayor his predecessor, and the recorder and others of the common council of the borough aforesaid, or as many of them as shall be there present, rightly, well and faithfully to execute the same office of mayor of the borough aforesaid in all things touching the same office, in and upon every first Thursday which shall happen next after the aforesaid feast of Saint Michael the Archangel after his election and nomination: And that after such oath so as aforesaid taken, he shall and may be able to execute the office of mayor of the borough aforesaid for one whole year then next ensuing. And further we will and by these presents for us our heirs and successors grant to the aforesaid mayor, aldermen and burgesses of the borough aforesaid and their successors, that if the mayor of the borough aforesaid for the time being, at any time within one year after he shall be so as aforesaid elected, preferred and sworn to the office of mayor of the borough aforesaid, shall happen to die or be removed from the same office, that then and so often it shall and may be lawful for the remainder of the common council of the borough aforesaid then surviving and remaining for the time being, or the major part of them, to elect and prefer one other of themselves into the place and office of such mayor of the borough aforesaid so dead or removed, according to the ordinances and provisions in these presents above declared: And that the person so elected and preferred into the office of mayor of the borough aforesaid, shall have and exercise the same office during the residue of the same year, having first taken a corporal oath in form aforesaid; and so, as often as the case shall so happen. And that whenever any or either of the aforesaid seven aldermen, or of the aforesaid twelve capital burgesses of the borough aforesaid, shall happen to die or be removed from their offices of aldermen or capital burgesses of the borough aforesaid, which same aldermen and capital burgesses of the borough aforesaid and every or either of them not well behaving himself or themselves in the same offices we will to be removeable at the pleasure of the mayor and the rest of the common council of the borough aforesaid or the major part of them, of whom the mayor of the borough aforesaid for the time being we will to be one, That then and so often, it shall and may be lawful for the aforesaid mayor, aldermen, recorder, chamberlain and capital burgesses of the borough aforesaid then surviving or remaining, or the major part of them, of whom the mayor of the borough aforesaid for the time being we will to be one, to elect, nominate and prefer, one or more other or others of the burgesses of the borough aforesaid into the place or places of the same alderman or aldermen, or of the same capital burgess or capital burgesses of the borough aforesaid, so happening to die or be removed; to supply the aforesaid number of seven aldermen and twelve

Removals.

capital burgesses of the borough aforesaid. And that he or they so as aforesaid elected and preferred to the office or offices of alderman or aldermen of the borough aforesaid, or capital burgess or capital burgesses of the borough aforesaid, having taken a corporal oath before the mayor, aldermen, recorder, chamberlain and capital burgesses of the borough aforesaid, or the major part of them for the time being, of whom the mayor of the borough aforesaid for the time being we will to be one, well and faithfully to execute the same offices respectively, shall be of the number of the aforesaid seven aldermen or twelve capital burgesses of the borough aforesaid; and this from time to time as often as the case shall so happen. We will also and by these presents for us our heirs and successors grant, that whenever any or either of the aforesaid twenty-four assistants of the borough aforesaid shall happen to die or be removed from his office, which same assistants and any or either of them not well behaving himself or themselves in the same office, we will to be removeable at the pleasure of the mayor and the rest of the common council of the borough aforesaid for the time being, of whom the mayor of the borough aforesaid for the time being we will to be one, That then and so often it shall and may be lawful for the aforesaid mayor and the rest of the common council of the borough aforesaid for the time being or the major part of them, of whom the mayor of the borough aforesaid for the time being we will to be one, to elect, nominate and prefer one or more other or others of the burgesses of the borough aforesaid into the place or places of the same assistant or assistants so happening to die or be removed, to supply the aforesaid number of twenty-four assistants of the borough aforesaid. And that he or they so as aforesaid elected and preferred to the office or offices of assistant or assistants of the borough aforesaid, having taken a corporal oath before the mayor and the rest of the common council of the borough aforesaid or the major part of them well and faithfully to execute the same office, shall be of the number of the aforesaid twenty-four assistants of the borough aforesaid: and this from time to time as often as the case shall so happen.

Burgesses from Bengeworth

And further we will, and by these presents for us our heirs and successors grant and ordain, That one of the residents and inhabitants of the parish of Bengeworth aforesaid, shall be elected and preferred within the borough aforesaid, to be mayor of the borough aforesaid, according to the ordinances in these presents above mentioned, every seventh year at the least. And that from time to time and at all times, two of the aforesaid seven aldermen, four of the aforesaid twelve capital burgesses, and eight of the aforesaid twenty-four assistants of the borough aforesaid, may and shall be inhabitants of and residing within the aforesaid parish of Bengeworth. And that the aforesaid sir Philip Kighley, knight, may and shall be one of the aldermen of the same borough during his life; and after his decease, every heir male of the aforesaid sir Philip Kighley successively may and shall be one of the aldermen of the same borough, if he shall be at the time of the death of his ancestor of the age of twenty-one years; and if he shall not be of the age aforesaid, then when he shall come to his age aforesaid he shall be elected and preferred to be one of the aldermen of the borough aforesaid, and may and shall be one of the aldermen of the same borough during his natural life, any thing in these presents to the contrary thereof, or any other thing, cause or matter whatsoever notwithstanding.

Kighley.

Refusing office.

Moreover we will, and by these presents for us our heirs and successors grant to the aforesaid mayor, aldermen and burgesses of the borough aforesaid and their successors, That if any person or persons, who hereafter shall be elected or nominated

to the offices of mayor, alderman, capital burgess, or to any other office within the borough aforesaid, or to any or either of them, and having notice and knowledge of his or their election, shall refuse to exercise the office or offices to which he or they so refusing, hath or have been elected and nominated, That then and so often, it shall and may be lawful for the mayor, aldermen, and the rest of the common council of the borough aforesaid for the time being, or the major part of them, of whom the mayor of the borough for the time being we will to be one, to tax and impose fines and amerciaments upon such person or persons refusing; as to the same mayor, aldermen, and the rest of the common council of the borough aforesaid for the time being, or the major part of them, of whom the mayor of the borough aforesaid for the time being we will to be one, shall seem to be reasonable; and to commit him or them so refusing, and refusing to pay the same fines and amerciaments upon him or them so taxed and imposed, to the prison within the borough aforesaid; and to retain him or them in prison there, until he or they shall pay or cause to be paid the same fines and amerciaments, to the use of the mayor, aldermen and burgesses of the borough aforesaid.

Steward. And further we will, and by these presents for us our heirs and successors grant to the aforesaid mayor, aldermen and burgesses of the borough aforesaid and their successors, That they and their successors may and shall have in the borough aforesaid, one honorable and discreet man to be elected and nominated in form hereafter in these presents expressed, who shall be and be named high steward of the borough aforesaid. And we have assigned, constituted and made, and by these presents for us our heirs and successors do assign, nominate, constitute and make, our well-beloved and faithful servant sir Thomas Chaloner, knight, to be the first and present high steward of the borough aforesaid; to continue in the same office during the natural life of the same sir Thomas Chaloner. And that from time to time and at all times after the death of the aforesaid sir Thomas Chaloner, the mayor, aldermen and capital burgesses of the borough aforesaid for the time being, or the major part of them, shall and may be able to elect, nominate and prefer one other honorable and discreet man from time to time, to be high steward of the borough aforesaid. And that the person who shall be so as aforesaid elected, preferred and nominated to be high steward of the borough aforesaid, after the death of the said sir Thomas Chaloner, knight, shall and may be able to exercise and enjoy the same office of high steward of the borough aforesaid, during the pleasure of the aforesaid mayor, aldermen and burgesses of the borough aforesaid or the major part of them; of whom the mayor of the borough aforesaid for the time being, we will to be one.

Recorder. And further we will, and by these presents for us our heirs and successors grant to the aforesaid mayor, aldermen and burgesses of the borough aforesaid and their successors, That they and their successors from henceforth for ever, may and shall have in the borough aforesaid one honest and discreet man learned in the laws of England, to be elected and nominated in form hereafter in these presents expressed and specified, who shall be and be named recorder of the borough aforesaid. And that the recorder of the borough aforesaid so as aforesaid to be elected and nominated, before he shall be admitted to execute the same office shall take a corporal oath before the mayor of the borough aforesaid, rightly and faithfully to execute the same office of recorder of the borough aforesaid, according to his knowledge, in all things touching or concerning the same office. And that after such oath so taken he shall exercise and use the office of recorder of the same borough by himself or his sufficient

deputy in the borough aforesaid. And we have assigned, created, constituted and made, and by these presents for us our heirs and successors do assign, nominate, create, constitute and make, our beloved Henry Frowick of Lincoln's Inn in the county of Middlesex, esq. learned in the laws of England, to be the first and present recorder of the borough aforesaid; to continue in the same office during his natural life. And that from time to time and at all times after the death of the aforesaid Henry Frowick, at the will and pleasure of the mayor, aldermen and capital burgesses of the borough aforesaid for the time being, or the major part of them, of whom the mayor of the borough aforesaid for the time being we will to be one, the aforesaid mayor, aldermen and capital burgesses of the borough aforesaid for the time being, or the major part of them, of whom the aforesaid mayor of the borough aforesaid for the time being we will to be one, shall and may be able to elect, nominate and prefer one other discreet man, learned in the laws of England, from time to time to be recorder of the borough aforesaid. And that he who shall be so as aforesaid elected, preferred and nominated to be recorder of the borough aforesaid, after the death of the aforesaid Henry Frowick, or after the aforesaid Henry Frowick shall voluntarily relinquish the said office of recorder, shall and may be able to have, enjoy and exercise the same office of recorder of the borough aforesaid, during the pleasure of the mayor, aldermen and capital burgesses of the borough aforesaid for the time being, or the major part of them, of whom the mayor of the borough aforesaid for the time being we will to be one: having first, as aforesaid, taken a corporal oath well and faithfully to execute the same office of recorder of the borough aforesaid.

Chamberlain.

And further we will, and by these presents for us our heirs and successors grant to the aforesaid mayor, aldermen and burgesses of the borough aforesaid and their successors, That the mayor, aldermen and capital burgesses of the borough aforesaid for the time being or the major part of them, of whom the mayor of the borough aforesaid for the time being we will to be one, shall and may be able from time to time to elect, constitute and create, one of the burgesses of the borough aforesaid, to have, exercise and execute the office of chamberlain of the said borough, so long as to the aforesaid mayor, aldermen and capital burgesses of the same borough or the major part of them, of whom the mayor of the borough aforesaid for the time being we will to be one, shall seem expedient, or until the said chamberlain shall voluntarily relinquish his said office or shall die. And that every burgess of the said borough in form aforesaid elected, preferred and created, or to be elected, preferred and created to be chamberlain of the borough aforesaid, shall in due manner take a corporal oath before the said mayor, aldermen and capital burgesses of the same borough for the time being, or so many of them as shall be willing to be present, to do and faithfully execute all those things which to the office of chamberlain of the borough aforesaid appertain. And that the chamberlain of the borough aforesaid for the time being, shall and may be able to receive, and in his custody for the use of the aforesaid mayor, aldermen and burgesses of the borough aforesaid to retain, all and all manner of rents, fines, amerciaments, revenues, profits, commodities and emoluments whatsoever, to the aforesaid mayor, aldermen and burgesses and their successors, in right of their corporation in any wise belonging or appertaining, incurred, due or payable; and to lay out and expend the same at their mandate and command from time to time. And that the chamberlain of the borough aforesaid for the time being, shall make and write all and singular writings, deed, charters, evidences and muniments whatsoever, to the said mayor, aldermen and burgesses of the

same borough for the time belonging, or in any wise appertaining, and shall keep the same in the chamber of the borough aforesaid; and of all things by him or them so received or levied, kept or had, shall render a true and just account yearly, at every feast of Saint Matthew for ever, to the said mayor, aldermen and capital burgesses of the borough aforesaid for the time being, or the major part of them. And also that every chamberlain of the said borough for the time being who shall happen to be removed from his office or shall voluntarily relinquish his office aforesaid, within one month next after his removal or voluntary relinquishment of his office aforesaid shall render a true and faithful account of all things in his office by him accepted, had or done, to the mayor, aldermen and capital burgesses of the same borough, or as many of them as shall be willing to be present, when they shall be thereunto required. And for the better execution of our will and grant in that behalf, we have assigned, created, constituted and made, and by these presents for us our heirs and successors do assign, create, nominate, constitute and make our beloved Russell Andrews, gent. to be the first and present chamberlain of the same borough; to continue in the same office during his natural life. And that from time to time, and at all times after the death or surrender of the aforesaid Russell Andrews, at the will and pleasure of the mayor, aldermen and burgesses of the borough aforesaid for the time being or the major part of them, of whom the mayor of the borough aforesaid for the time being we will to be one, the aforesaid mayor, aldermen and capital burgesses of the borough aforesaid for the time being, or the major part of them, of whom the aforesaid mayor for the time being we will to be one, shall and may be able to elect, nominate and prefer, one other discreet man from time to time, to be chamberlain of the borough aforesaid. And that he who shall be so as aforesaid elected, preferred and nominated to be chamberlain of the borough aforesaid after the death or surrender of the aforesaid Russell Andrews, shall and may be able to have, enjoy and exercise the same office of chamberlain of the borough aforesaid, during the pleasure of the mayor, aldermen and capital burgesses of the borough aforesaid for the time being, or the major part of them, of whom the mayor of the borough aforesaid for the time being we will to be one, having first taken a corporal oath before the mayor of the borough aforesaid for the time being, rightly, well and faithfully to execute the same office of chamberlain of the borough aforesaid.

Deputy mayor.

And further we will, and by these presents for us our heirs and successors grant to the aforesaid mayor, aldermen and burgesses of the borough aforesaid and their successors, That if the mayor of the borough aforesaid for the time being, shall happen so to be afflicted with illness that he cannot attend the necessary business of the borough aforesaid, or shall leave the borough aforesaid, for any reasonable cause to be allowed by the capital burgesses of the borough aforesaid or the major part of them; that then and so often from time to time hereafter, it shall and may be lawful for the mayor of the borough aforesaid for the time being, to make and constitute from time to time one honest and discreet man of the aldermen of the borough aforesaid, to be the deputy of the same mayor for the time being so afflicted with illness or absent for any other reasonable cause; to be allowed so as aforesaid to continue in the same office of deputy mayor of the borough aforesaid in the absence or illness of the mayor of the borough aforesaid for the time being, during his mayoralty. Which same alderman so as aforesaid to be deputed and constituted to be deputy mayor of the borough aforesaid for the time being, shall and may be able to do and execute all and singular those things, which to the office of mayor of the borough aforesaid

within the same borough, the liberties and precincts of the same, appertain and ought to appertain to be done and executed, during the pleasure of the mayor of the borough aforesaid for the time being, in the absence or illness of the same mayor, for the time being, by force of these our letters patent, as fully and intirely as the mayor of the borough aforesaid for the time being, if he could be present, by virtue of these our letters patent or by any other means, might and could be able to execute; having first taken a corporal oath before the recorder of the borough aforesaid for the time being or the deputy of the same recorder, rightly and faithfully to execute all and singular those things which to the office of deputy mayor of the borough aforesaid appertain. And so, as often as the case shall so happen.

Deputy Recorder.

And if the recorder of the borough aforesaid for the time being shall happen so to be afflicted with illness that he cannot attend the necessary business of the borough aforesaid, concerning the office of recorder of the borough aforesaid, or shall leave the borough aforesaid for any reasonable cause, That then and so often from time to time it shall and may be lawful for the recorder of the borough aforesaid for the time being to make and constitute from time to time one other honest and discreet man of the burgesses of the borough aforesaid to be the deputy of the same recorder for the time being, so afflicted with illness or absent for any other reasonable cause, to continue in the same office of deputy recorder of the borough aforesaid in the absence or illness of the recorder of the borough aforesaid for the time being, during the pleasure of the same recorder for the time being. Which same burgess so as aforesaid to be deputed and constituted to be deputy recorder of the borough aforesaid shall and may be able to do and execute all and singular those things which to the office of recorder of the borough aforesaid within the same borough, the liberties and precincts of the same, appertain and ought to appertain to be done and executed, during the pleasure of the recorder of the borough aforesaid for the time being, in the absence or illness of the same recorder for the time being, by force of these our letters patent, as fully and intirely as the recorder of the borough aforesaid for the time being by virtue of these our letters patent or by any other means might and could be able to execute, having first taken a corporal oath before the mayor of the borough aforesaid or his deputy for the time being, rightly and faithfully to execute all and singular the same things: and so as often as the case shall so happen.

Court of Record.

And we will and by these presents for us our heirs and successors grant to the same mayor, aldermeu and burgesses of the borough aforesaid and their successors, That they and their successors from henceforth for ever shall have and hold and shall and may be able to have and hold within the borough aforesaid one court of record on every Thursday in every week throughout the year; to be holden before the mayor of the borough aforesaid or his sufficient deputy and the senior alderman of the borough aforesaid and also the recorder of the same borough for the time being or his sufficient deputy, or any two of them, of whom the mayor or recorder of the borough aforesaid or their sufficient deputy or the deputy of either of them for the time being we will to be one: And that in the same court they shall and may be able to hold by plaints in the same court to be levied all and all manner of pleas, actions, suits and demands, real, personal and mixt, concerning whatsoever trespasses within the borough aforesaid, the liberties and precincts of the same, moved, arising, had or perpetrated, or hereafter to be done, moved, had or perpetrated; and concerning all and all manner of debts, pleas upon the case, deceits, accounts, covenants, detinue of charters, writings, muniments and chattels, taking and detaining

of cattle and chattels, and other contracts whatsoever, from whatsoever cause or matter within the borough aforesaid, the liberties and precincts of the same arising, or hereafter happening to arise; although the same trespasses, debts, accounts, covenants, deceits, detinue, or other contract, shall amount or shall not amount, or shall exceed the sum of forty shillings, provided they shall not exceed the debt, sum, damage or value of £100. And that such pleas, plaints, suits and actions, shall be there heard and determined before the said mayor or his sufficient deputy and the senior alderman of the borough aforesaid and also the recorder of the same borough for the time being or his sufficient deputy, or any two of them, of whom the mayor or recorder of the borough aforesaid or their sufficient deputies or the deputy of either of them for the time being we will to be one, by such and the like process, means and manner, according to the laws and customs of our kingdom of England, by which and as shall be agreeable to our law, and in as ample manner and form as is used and accustomed in any other court of record in any other city, borough or town incorporate within this our kingdom of England. And that the mayor and recorder of the borough aforesaid for the time being from time to time may and shall have power and authority in the full court aforesaid to nominate, elect and appoint, admit and swear, so many discreet, expert and fit men, to be attorneys and attendants in the court of record aforesaid, as often as their presence, ministry and service shall be requisite, as to the aforesaid mayor and recorder of the borough aforesaid for the time being shall seem necessary to be elected and nominated, as in any other court of record within this our kingdom of England is used and accustomed. And that the aforesaid attorneys for the time being and all other officers and ministers enjoying any office or ministry in the aforesaid court of record relating to the administration or execution of justice within the borough aforesaid, the liberties and precincts of the same, shall have and receive, and every of them shall have and receive from henceforth for ever such reasonable wages, fees and rewards for the execution of their ministeries or offices aforesaid as of old they have had and received or of right ought to have and receive.

Prison. And further we will and by these presents for us our heirs and successors grant to the aforesaid mayor, aldermen and burgesses of the borough aforesaid and their successors, That the same mayor, aldermen and burgesses of the borough aforesaid and their successors for ever, may and shall have within the borough aforesaid, the liberties and precincts of the same, one prison or gaol, for the keeping and custody of all and singular persons attached and to be attached or in any wise adjudged to the prison or gaol of the borough aforesaid, within the liberty of the borough aforesaid or the precincts of the same, for whatsoever cause which in the same borough can be inquired, prosecuted, punished or determined; there to remain until they shall be in due manner delivered. And that the mayor of the borough aforesaid for the time being may and shall be keeper of the same gaol.

Profits of Court. And moreover of our further especial grace and of our certain knowledge and mere motion, for us our heirs and successors, we grant to the aforesaid mayor, aldermen and burgesses of the borough aforesaid and their successors, That they the aforesaid mayor, aldermen and burgesses of the borough aforesaid and their successors from henceforth for ever shall have, enjoy and receive, and shall and may be able to have, enjoy, levy and receive, to the proper use and behoof of the aforesaid mayor, aldermen and burgesses of the borough aforesaid and their successors, all and all manner of fines, issues, amerciaments, forfeitures and profits in the court aforesaid, before the afore-

said mayor, or his sufficient deputy and the senior alderman and recorder of the borough aforesaid or the sufficient deputy of the same recorder or any two of them as aforesaid, or before the justices of us our heirs and successors, to preserve the peace within the aforesaid borough, to be imposed, accruing, coming, arising, happening, or to be forfeited. And that it shall and may be lawful for the aforesaid mayor, aldermen and burgesses of the borough aforesaid and their successors, to levy and collect the same fines, issues, amerciaments, forfeitures and profits from time to time, by the proper ministers of the aforesaid mayor, aldermen and burgesses of the borough aforesaid, according to the law and custom of our kingdom of England, and the same to have and enjoy to the proper use and behoof of the same mayor, aldermen and burgesses of the borough aforesaid and their successors: rendering therefore to us our heirs and successors yearly out of and for all and singular the aforesaid fines, issues, amerciaments, forfeitures and profits, the antient farm or rent of £13 6*s.* 8*d.* of lawful money of England, to the hands of the bailiffs or receivers of the premises for the time being, at the feasts of Saint Michael the Archangel and Easter, by equal portions to be paid yearly for ever, as of old they have been accustomed to render.

Waifs, &c.

We have also granted and by these presents for us our heirs and successors do grant to the same mayor, aldermen and burgesses of the borough aforesaid for the time being and their successors, That they and their successors from henceforth for ever may and shall have, and shall and may be able to have, to the proper use and behoof of the same mayor, aldermen and burgesses of the borough aforesaid and their successors, all and all manner of goods and chattels waived whatsoever, deodands, goods, and chattels of felons and fugitives, felons of themselves, persons outlawed and to be outlawed, waived and to be waived, condemned and to be condemned, adjudged and to be adjudged, attainted and happening to be attainted, convicted and to be convicted, fugitives and persons put or to be put in exigent for felony and murder, and felons of themselves, of all and singular the burgesses and inhabitants within the borough aforesaid, the liberties and precincts of the same, from time to time arising, happening or accruing.

Muster.

And further we will and by these presents for us our heirs and successors grant to the aforesaid mayor, aldermen and burgesses of the borough aforesaid and their successors, That the aforesaid mayor of the borough aforesaid for the time being and his successors, may and shall have full authority and power to press and to take and survey a muster and array of our liege people and subjects within the borough aforesaid, the limits and precincts of the same, in any competent place within the borough aforesaid, the limits and precincts of the same, so often as and when it shall seem necessary to them to be done from time to time; and to cause persons refusing the premises or any of them to be punished at the lawful command of the said mayor of the borough aforesaid for the time being by imprisonment of their bodies according to his discretion. And that no lieutenant or commissioner of us our heirs or successors, assigned or to be assigned to press or to make any muster or array in the aforesaid county of Worcester, shall intermeddle in any muster or array of men within the borough aforesaid, the limits and precincts of the same, residing or dwelling; nor shall enter the borough aforesaid, the limits or precincts of the same, to do or execute any thing which to his office concerning such muster or array doth in any wise belong, unless with the assent and consent of the mayor of the borough aforesaid for the time being.

Exemption from Juries.

And moreover of our further especial grace and of our certain knowledge and mere motion we will and by these presents for us our heirs and successors grant to the aforesaid mayor, aldermen and burgesses of the borough aforesaid and their successors, That the same mayor, aldermen and burgesses of the borough aforesaid and their suceessors, or either of them shall not in any wise be compelled or required to go out of the borough aforesaid before us our heirs or successors, the justices of us and our heirs of the bench, the justices of us and our heirs assigned to take assizes and to deliver gaols, the keepers of the peace and justices of us and our heirs assigned to hear and determine divers felonies, trespasses and misdeeds, or the justices of us and our heirs of nisi prius, or the justices of us and our heirs assigned to survey walls, ditches, gutters, sewers, bridges, causeways and weirs, or other commissioners of us or our heirs, sheriffs, escheators, coroners and other officers and ministers of us our heirs and successors, or the steward and marshall or clerk of the market of the household of us and our heirs; nor shall they or either of them be put or impannelled in auy assizes, juries or other inquisitions out of the borough aforesaid; nor shall they or either of them in any wise forfeit to us or our heirs for the same any issues or amerciaments on that account, but shall be therefrom quit for ever; unless they or either of them shall have lands and tenements out of the borough aforesaid, the liberties or precincts of the same borough for which they or he ought to be charged.

Justices.

And further we will and by these presents for us our heirs and successors grant to the aforesaid mayor, aldermen and burgesses of the borough aforesaid and their successors, That sir Thomas Chaloner, knight, sir David Fowles, knight, sir William Fleetwood, knight, and Adam Newton, esquire, during their natural lives, and also the mayor and recorder of the borough aforesaid for the time being and four of the aldermen of the same borough for the time being, to be from time to time assigned, nominated and elected by the aforesaid mayor, aldermen and capital burgesses of the borough aforesaid and their successors or by the major part of them for the time being, of whom the mayor of the borough aforesaid for the time being we will to be one, during the time and so long as they shall be aldermen of the said borough may and shall be the keepers and justices of us our heirs and successors; and every of them may and shall be a justice of us and of our heirs and successors, to keep and preserve and cause to be kept and preserved the peace of us our heirs and successors within the borough aforesaid, the limits and precincts of the same; and also to keep and cause to be kept, the statutes and ordinances of Winchester, Northampton and Westminster, for the preservation of the peace thereof; and also the ordinances there and elsewhere concerning hunters, labourers, workmen, artificers, servants, innkeepers, mendicants and vagabonds and others who call themselves travelling men; and also the statutes and ordinances in the first and second years of the reign of the lord Henry the Fourth late king of England our progenitor concerning the liberty of signs, societies, knights, esquires, or valets, and other liberties concerning cloths not to be given nor in any wise used by them; and a certain other statute of the lord Henry the Fifth enacted in the parliament holden at Westminster in the third year of his reign concerning counterfeiters, washers, clippers and other falsifiers of the money of our land; and all other ordinances and statutes made and to be made for the good of the peace of us and of our heirs and successors and for the quiet rule and government of the people of us and of our heirs and successors in all and singular their articles within the borough of Evesham aforesaid, the limits, precincts and liberties of the same, according to the force, form and effect of the same; and to cor-

rect and punish all those who shall be found offending against the form of the ordinances and statutes aforesaid, as according to the form of the ordinances and statutes aforesaid shall be to be done; and to cause all those who shall threaten any of the people of us our heirs or successors concerning their bodies or burning their houses, to come before them or any of them and to find sufficient security for the peace and good behaviour towards us and the people of us our heirs and successors; and if they shall refuse to find such security, then to cause them to be safely kept in the prison of us and our heirs in the borough aforesaid until they shall find such security. Moreover we will and by these presents for us our heirs and successors grant to the said mayor, aldermen and burgesses of the borough aforesaid and their successors, That the aforesaid sir Thomas Chaloner, sir David Fowles, sir William Fleetwood, and Adam Newton, during their natural lives, and also the aforesaid mayor, recorder and four of the aldermen of the borough aforesaid for the time being so as aforesaid to be elected and nominated from time to time to the office of justice of the peace, or any three of them, of whom the mayor and recorder of the borough aforesaid for the time being we will to be two, from henceforth for ever shall be justices of us our heirs and successors; to inquire by the oaths of good and lawful men of the borough aforesaid by whom the truth of the matter may the better be known, concerning all and all manner of felonies, sorceries, inchantments, witchcrafts, magic, arts, trespasses, forestallers, regraters, ingrossers and extortions, within the borough aforesaid, the precincts, limits and liberties of the same, by whomsoever and in whatsoever manner done or perpetrated and which from henceforth shall happen to be done there; and also concerning all and singular other misdeeds and offences concerning which our justices of the peace are able lawfully to inquire in any manner done or perpetrated within the borough aforesaid, the limits and liberties of the same, and which from henceforth shall happen there to be done or attempted: And also concerning all those who with force of arms shall go or ride, or hereafter shall presume to go or ride in assemblies against our peace and in disturbance of our people: And also concerning those who shall lay in wait or hereafter shall presume to lay in wait, to maim or kill our subjects, of which inquiry ought or hath been used to be made by the keepers and justices of the peace of us our heirs and successors and the justices of us our heirs and successors assigned and to be assigned to inquire of such felonies, trespasses and misdeeds, in any county of our kingdom of England, by virtue of the ordinances and statutes aforesaid or of other ordinances and statutes heretofore made or hereafter to be made according to the force and effect of the letters patent of us our heirs and successors, to them therefore made or to be made; and to hear and determine from time to time all and singular the premises and other things whatsoever within the borough aforesaid, the precincts and liberties of the same, attempted or perpetrated, and from henceforth to be done, attempted or perpetrated, which by such keepers of the peace of us our heirs and successors assigned and to be assigned to hear and determine such felonies, trespasses and misdeeds in any county of our aforesaid kingdom of England, by virtue of the ordinances and statutes aforesaid ought and have been used to discuss and determine according to the laws and customs of our kingdom of England and the form of the ordinances and statutes aforesaid, without any other commission or letters of us our heirs and successors to them therefore to be made.

Inquests.

And moreover we will and of our further especial grace and of our certain knowledge and mere motion for us our heirs and successors by these presents grant to the

Gaol delivery.

aforesaid mayor, aldermen and burgesses of the borough aforesaid and their successors, That the mayor and recorder of the borough aforesaid for the time being and the aforesaid four aldermen of the borough aforesaid so as aforesaid from time to time to be elected and nominated into the office of justice of the peace or any three of them, of whom the mayor and recorder of the same borough for the time being we will to be two, from time to time for ever hereafter shall be the justices of us our heirs and successors from time to time to deliver the gaol of the borough aforesaid of the prisoners from henceforth to be committed to the same gaol on any account whatever: And that the coroners of the borough aforesaid for the time being shall make and return from time to time all juries, inquisitions, depositions, paunels, attachments and indentures by them or either of them taken and hereafter to be taken before the aforesaid mayor, recorder and the aforesaid four aldermen so as aforesaid from time to time to be elected and nominated to the office of justice of the peace within the borough aforesaid or any three or more of them, of whom the aforesaid mayor and recorder of the borough aforesaid for the time being we will to be two, when and so often as they shall be willing to deliver the same gaol of the prisoners therein being; and shall be attending them in all things touching the delivery of the gaol aforesaid, and shall from time to time execute the precepts of the same justices for the time being and every of them, in the same manner and form as any sheriff of our kingdom of England hath been in any wise accustomed to do, return, attend or execute by the laws of this our kingdom of England before the justices of gaol delivery in any county of the said kingdom of us our heirs and successors. And that the same mayor, aldermen and burgesses of the borough aforesaid and their successors may and shall have and shall be able from henceforth to erect a gallows within the borough aforesaid or the liberties of the same, to hang felons, murderers and other malefactors adjudged or to be adjudged to be hanged within the borough aforesaid according to the laws of this our kingdom of England. And that the aforesaid mayor, aldermen and burgesses of the borough aforesaid and their successors for the time being shall and may be able to arrest and take whatsoever felons, thieves and other malefactors within the borough aforesaid and the limits, precincts and liberties of the same, by themselves or by their ministers or deputies in the borough aforesaid constituted, and to take them to the gaol within the borough aforesaid there to be safely kept until they shall be delivered by due process of law. And further we have given and granted, and by these presents for us our heirs and successors do give and grant to the aforesaid mayor, aldermen and burgesses of the borough aforesaid and their successors, That the mayor of the borough aforesaid for the time being may and shall have the return of all writs, precepts, bills and warrants of us our heirs and successors, and also of the summonses, extracts and precepts of the exchequer of us our heirs and successors, and the extracts and precepts of our justices in eyre, as well of pleas of the forest as of common pleas or other justices whomsoever; and also attachments, as well of pleas of the crown as other pleas arising or happening in the said borough, liberties and precincts, or in any part thereof; and the execution of the same, to be done by the mayor of the borough aforesaid for the time being: So that no sheriff, under-sheriff, bailiff or other minister of us our heirs and successors shall enter the borough aforesaid to do any thing or things to his office appertaining in that behalf, unless in default of the same mayor or his successors or their ministers for the time being.

Return of Juries, &c.

Gallows, &c.

Writs, &c.

Coroner. And further we will and by these presents for us our heirs and successors grant to

the aforesaid mayor, aldermen and burgesses of the borough aforesaid and their successors, That the mayor, aldermen and capital burgesses of the borough aforesaid for the time being or the major part of them, of whom the mayor of the borough aforesaid for the time being we will to be one, from time to time at the pleasure of the same mayor, aldermen and capital burgesses of the borough aforesaid or the major part of them, of whom the mayor of the borough aforesaid for the time being we will to be one, shall and may be able to elect and nominate one of the capital burgesses or of the assistants of the borough aforesaid, to be coroner of the borough aforesaid: which same coroner so as aforesaid to be elected and nominated, having taken a corporal oath before the mayor of the borough aforesaid for the time being, rightly, well and faithfully to execute the same office in all things touching or concerning the same office, shall have and exercise the office of coroner of the borough aforesaid, during the pleasure of the same mayor, aldermen and capital burgesses of the borough aforesaid or the major part of them, of whom the mayor of the borough aforesaid for the time being we will to be one, or until some other person shall be in due manner elected and preferred to the office of coroner of the borough aforesaid, according to the ordinances and provisions in these presents above mentioned and expressed: And that he who shall be so as aforesaid nominated, elected and sworn into the office of coroner of the borough aforesaid, shall do and execute and shall and may be able to do and execute all and whatsoever to the office of coroner of the borough aforesaid within the aforesaid borough, the liberties and precincts of the same doth appertain to be done: So that no other coroner of us or our heirs or successors shall in any wise hereafter intermeddle, nor shall enter nor in any wise presume to enter the said borough, the suburbs and precincts of the same, to do any thing which to the office of coroner of the borough aforesaid doth appertain. And moreover being willing to shew favor to the aforesaid mayor, aldermen and burgesses of the borough aforesaid and their successors in that behalf, of our further especial grace and of our certain knowledge and mere motion, we will and by these presents for us our heirs and successors grant to the aforesaid mayor, aldermen and burgesses of the borough aforesaid and their successors, and firmly injoining we command that from henceforth for ever no sheriff, under-sheriff, escheator, coroner, keeper of the peace, justice or any other of the ministers of us our heirs or successors shall in any wise from henceforth enter nor shall in any wise presume to enter the borough aforesaid, the suburbs, liberties and precincts of the same, to execute or exercise any thing in the same which to his office doth appertain, unless in default of the mayor, aldermen and burgesses of the borough aforesaid for the time being.

Clerk of Market.

And further we have granted and by these presents for us our heirs and successors do grant to the aforesaid mayor, aldermen and burgesses of the borough aforesaid and their successors, That the mayor of the borough aforesaid for the time being from henceforth for ever may and shall be clerk of the market and escheator of us our heirs and successors within the borough aforesaid, the liberties and precincts of the same; and that the aforesaid mayor for the time being shall do and execute and shall and may be able to do and execute for ever all and whatsoever to the offices of clerk of the market and escheator or either of them doth appertain there to be done; and to do and perform all and singular other deeds and things which to the same offices or either of them within the same borough, the suburbs and precincts of the same appertain to be done and executed; so that no clerk of the market or escheator of us our heirs or successors shall hereafter in any wise intermeddle nor shall enter or

presume to enter the said borough, the suburbs and precincts of the same, to do any thing which to the offices of clerk of the market or escheator, or either of them, there doth appertain.

Burgesses to Parliament.

And also we will and for us our heirs and successors by these presents grant and ordain, That from henceforth for ever there may and shall be in the said borough of Evesham, two Burgesses of the Parliament of us our heirs and successors; and that the aforesaid mayor, aldermen and burgesses of the borough aforesaid and their successors, upon the writ of us our heirs and successors for the election of burgesses of the parliament to them directed, may and shall have power, authority and faculty to elect and nominate two discreet and honest men to be burgesses of the parliament of us our heirs and successors for the same borough, and the same burgesses so elected to send to the parliament of us our heirs and successors, at the costs and charges of the said mayor, aldermen and burgesses of the borough aforesaid and their successors for the time being, wheresoever it shall be then holden; in the same manner and form as is used and accustomed in other boroughs of our kingdom of England. Which same burgesses so elected and nominated, we will shall be present and remain at the parliament of us our heirs and successors at the costs and charges of the said mayor, aldermen and burgesses of the borough aforesaid for the time being during the time which such parliament shall happen to be holden, in like manner and form as other burgesses of the parliament for any other boroughs or borough whatsoever within our kingdom of England can do or have been accustomed to do: And which same burgesses in such parliament of us our heirs and successors shall have their voices as well affirmative as negative, and shall there do and execute all and singular other things as any other burgesses or burgess of our parliament for any other boroughs or borough whatsoever have, do and execute, or can or may be able to have, do and execute, by whatsoever reason or means.

Markets, &c.

And further we will and by these presents for us our heirs and successors grant to the aforesaid mayor, aldermen and burgesses of the borough aforesaid and their successors for ever, That they and their successors shall have, hold and keep, and shall and may be able to have hold and keep in the borough aforesaid yearly for ever, in every week two Markets; that is to say, one of the same markets on Monday, and the other on Friday in every week throughout the year: And also three Fairs or marts in the year, to be held every year for ever; the first of the same three fairs or marts to begin on Monday in the second week next after the feast of Easter and to continue for the whole of that Monday and on the morrow of the same day; the second fair or mart to begin on the Monday next after the feast of Pentecost and to continue for the whole of that day and on the morrow of the same Monday next after the feast of Pentecost; and the third fair or mart of the same three fairs or marts to begin on the feast or day of Saint Silvius and to continue for the whole of that day and the morrow of the same day; together with a court of piepowder to be there holden at the time of the same fairs or marts and markets: and with all liberties and free customs, tolls, stallage, piccage, fines, amerciaments and all other profits, commodities and emoluments whatsoever to such markets, fairs or marts and court of piepowder appertaining, happening, arising or contingent; and with all other free customs and liberties whatsoever to such markets, fairs, marts and court of piepowder appertaining or belonging, as in the same borough hath been heretofore used. So nevertheless that the aforesaid markets, fairs or marts, shall not be to the prejudice of other neighbouring markets, fairs or marts near adjoining. Moreover we

have granted and by these presents for us our heirs and successors do grant to the aforesaid mayor, aldermen and burgesses of the borough aforesaid and their successors, as much as in us lies, That no foreigner not being a burgess of the same borough shall sell or expose to sale or cause to be sold or exposed to sale any goods, wares or merchandize within the borough aforesaid, the liberties or precincts of the same, otherwise than in gross, unless only at the time of the marts and fairs there, under pain of forfeiture of all such goods, wares and merchandize, so as aforesaid against the form of these presents sold or exposed to sale, or the value of the same, to the aforesaid mayor, aldermen and burgesses of the borough aforesaid and their successors: And that it shall and may be lawful for the same mayor, aldermen and burgesses of the borough aforesaid and their successors, to levy and seize the same goods, wares and merchandize, or the value of the same so as aforesaid happening to be forfeited by force of these presents, by their own proper ministers and officers, according to the laws and customs of our kingdom of England; and the same so levied or seized, to have, receive and retain to the proper use and behoof of the aforesaid mayor, aldermen and burgesses of the borough aforesaid and their successors for ever, without account or any other thing for the same to us our heirs or successors to be rendered, paid or done. And these our letters patent or the inrollment thereof shall be from time to time, to the aforesaid mayor, aldermen and burgesses of the borough aforesaid for the time being and to all and singular their officers and ministers whomsoever sufficient warrant and exoneration in that behalf.

Serjeants.

And moreover we will and by these presents for us our heirs and successors grant to the aforesaid mayor, aldermen and burgesses of the borough aforesaid and their successors, That from henceforth for ever there may and shall be in the borough aforesaid two officers who may and shall be and shall be called Serjeants-at-mace, to serve in the courts of the borough aforesaid, and for proclaiming, arresting and executing the process, mandates and other business to the office of serjeant-at-mace in the borough aforesaid, the limits, bounds and precincts of the same appertaining and from time to time to be done and executed. Which same serjeants-at-mace shall be nominated, appointed and elected by the aforesaid mayor for the time being, and shall be attending from time to time upon the mayor of the borough aforesaid for the time being: And that the aforesaid serjeants-at-mace so as aforesaid to be elected and nominated may and shall be in due manner sworn well and faithfully to execute their office aforesaid, before the mayor and recorder of the borough aforesaid for the time being; and that after such oath so taken they may and shall and may be able to execute and exercise the same office during the pleasure of the mayor of the borough aforesaid for the time being. And further we will and ordain and by these presents for us our heirs and successors grant to the aforesaid mayor, aldermen and burgesses of the borough aforesaid and their successors that the aforesaid serjeants-at-mace to be deputed in the borough aforesaid, shall carry and bear Maces gilt or silver, engraved and ornamented with the arms of the Prince and heir-apparent of the kingdom of England, every where within the borough aforesaid, the suburbs, liberties and precincts of the same, before the mayor of the borough aforesaid for the time being.

Frankpledge.

And further we will and by these presents for us our heirs and successors grant to the aforesaid mayor, aldermen and burgesses of the borough aforesaid and their successors, That they shall have, hold and enjoy, and shall and may be able to have, hold and enjoy within the said borough of Evesham, a View of Frankpledge of all

and singular inhabitants and residents within the same borough of Evesham, and within the limits, precincts and jurisdictions of the same borough, and all things which to view of frankpledge appertain or may or ought to belong: to be holden twice in the year, that is to say, one view of frankpledge within a month of Easter, and the other view of frankpledge within a month of Saint Michael; to be holden before the mayor and recorder of the borough aforesaid or their sufficient deputy for the time being in every year; and all and every thing to view of frankpledge appertaining, in the same and in as ample manner and form as heretofore in the same borough hath been rightfully and lawfully used and accustomed.

Taxation. And further for us our heirs and successors, by these presents we grant to the same mayor, aldermen and burgesses of the borough aforesaid and their successors, that none of them, or any inhabitant or resident within the borough aforesaid, the limits and precincts of the same, shall be ordained or assigned a taxor, assessor or collector of any customs, taxes, tolls, subsidies, tenths, fifteenths, or other sums of money whatsoever to us our heirs or successors in any wise granted or to be granted, unless only within the borough aforesaid, the limits and precincts of the same. Willing also and granting by these presents to the same mayor, aldermen and burgesses of the borough aforesaid, that they and the other inhabitants and residents within the borough aforesaid, the liberties and precincts of the same or any of them, shall not be taxed or assessed in any wise for such customs, taxes, tolls, subsidies, tenths, fifteenths or other sums of money whatsoever, to us our heirs and successors in any wise to be granted, by any other person or persons, but only by the mayor, aldermen and burgesses of the borough aforesaid. And further we will, and by these presents for us our heirs and successors grant to the aforesaid mayor, aldermen and burgesses of the borough aforesaid and their successors, that the mayor, aldermen and capital burgesses of the borough aforesaid for the time being or the major part of them, of whom the mayor of the borough aforesaid for the time being we will to be one, may and shall have full power and authority from time to time so often as to them shall seem necessary, reasonably to tax and assess all persons who now are or at any time hereafter shall be inhabitants, residents and dwellers within the borough aforesaid, the liberties and precincts of the same in any sums of money by them to be paid and answered for; and towards the necessary and requisite charges, costs and expences of the borough aforesaid, the liberties and precincts of the same, and for any other matters and things touching or in any wise concerning the borough aforesaid; and to levy and receive all sums of money by them so as aforesaid from time to time to be taxed and assessed, of whatsoever inhabitants and residents within the borough aforesaid, the liberties and precincts of the same to the use of the borough aforesaid, according to the law and custom of our kingdom of England and as in any other borough, city or town incorporate within this kingdom of England is used and accustomed. And these our letters patent or the inrollment thereof shall be from time to time to the aforesaid mayor, aldermen and burgesses of the borough aforesaid and their successors, sufficient warrant and exoneration in that behalf.

Orphanage. And moreover we of our further especial grace and of our certain knowledge and mere motion, being desirous to provide for the care, defence and rule of the orphans and infants who shall hereafter be and shall happen to be in the borough of Evesham, and that their goods and chattels from henceforth for ever and from time to time during the minority of the same orphans and infants might be well, faithfully and justly preserved and kept, to the best use, advantage and profit of the same orphans

during their minority; for the further advantage and utility of the same orphans and infants we will and by these presents for us our heirs and successors grant to the aforesaid mayor, aldermen and burgesses of the borough aforesaid and their successors, That the mayor, aldermen and capital burgesses of the borough aforesaid for the time being and their successors may and shall have from henceforth for ever the custody and government of all and singular orphans whomsoever of the burgesses within the borough aforesaid, the liberties and precincts of the same. And that they may and shall have authority, faculty and power, to receive, levy and collect, seize, keep and cause to be kept in the chamber of the borough aforesaid for the time being by the chamberlain of the borough aforesaid for the time being all goods and chattels and debts and legacies whatsoever within the borough aforesaid, the suburbs and precincts of the same, happening, arising, found or being, of whatsoever orphans of any burgesses of the borough aforesaid hereafter happening to die; and the same goods and chattels, debts and legacies to expend, use, lay out and dispose of for the best behoof, use, advantage and profit of the same orphans: And that they shall be charged towards the same orphans with the aforesaid goods and chattels, debts and legacies; and the same goods and chattels, debts and legacies, together with the increase and profit thereof shall pay and deliver or cause to be paid or delivered to the same orphans, at such age and in the same manner and form in all things as in our city of London is now or heretofore in that behalf hath been used or accustomed. And that they shall have actions and remedies for bringing back and taking of any orphans within the borough aforesaid happening to go out of the same and for the recovery of their goods and chattels, debts and legacies, and all such and as many officers for the better government and care of the same orphans and of their goods, chattels, debts and legacies, as and which in the aforesaid city of London hath heretofore been accustomed or ought to be, and that they shall execute and do all and singular other things whatsoever touching such orphans and their goods and chattels, debts and legacies, which in the said city of London hath been heretofore accustomed to be executed, done or performed, and not otherwise nor in any other manner. All which we will by these presents to be inviolably performed.

Honorary Freemen.

And further we will, and by these presents for us our heirs and successors grant to the aforesaid mayor, aldermen and burgesses of the borough aforesaid and their successors, That the mayor, aldermen and capital burgesses of the borough aforesaid for the time being, or the major part of them, of whom the mayor for the time being we will to be one, may and shall have full power and faculty from time to time to elect, nominate, assign and constitute such and so many persons inhabiting or dwelling as well without the borough aforesaid as within the same borough, the suburbs, limits or precincts of the same, to be burgesses of the said borough, as to the said mayor, aldermen and capital burgesses or the major part of them shall seem to be most useful for the public advantage of the same borough; in the same manner and form and under such corporal oath to be taken by every of the said burgesses so to be elected and assigned as within the said borough of Evesham the burgesses of the same borough have heretofore been accustomed to take. And that such burgesses of the borough aforesaid and every of them from henceforth for ever shall and may be able fully and peaceably to possess, enjoy and use for ever all liberties, privileges, franchises and immunities, by us or by any or either of our progenitors, kings or queens of England, heretofore given and granted to the bailiffs, aldermen and bur-

gesses of the borough of Evesham ; or by whatsoever other name or names they have been heretofore incorporated.

Disorderly Persons.

And moreover of our further especial grace and of our certain knowledge and mere motion we have given and granted, and for us our heirs and successors by these presents do give and grant to the aforesaid mayor, aldermen and burgesses of the borough of Evesham aforesaid and their successors full power and authority and jurisdiction, That the mayor of the borough aforesaid for the time being shall have and exercise, and he shall and may be able to exercise within the borough aforesaid and the liberties and precincts of the same from henceforth for ever the punishment and correction of all and singular drunkards, and of all and singular harlots, prostitutes, light women and concubines, and of all other lascivious and incontinent livers whomsoever, and also of all and singular dishonest or malicious persons on whatoever account, and scolds residing and inhabiting or offending within the borough aforesaid or the liberties of the same ; as well by the verdict and presentment of twelve good and lawful men of the borough aforesaid for the time being as by other lawful ways and means which to the aforesaid mayor for the time being shall seem to be most expedient.

May possess lands, &c.

And moreover of our further especial grace and of our certain knowledge and mere motion, we have granted, and by these presents for us our heirs and successors do grant and give special licence and free and lawful faculty, power and authority, to the aforesaid mayor, aldermen and burgesses of the borough aforesaid and their successors to have, receive and purchase to them and their successors for ever messuages, lands, tenements, meadows, feedings, pastures, woods, underwoods, rectories, tythes, rents, reversions and other hereditaments whatsoever, within our kingdom of England or elsewhere within our dominions, as well of us our heirs and successors as of any other person or persons whomsoever, which are not immediately holden of us our heirs and successors in chief or by knights' service : Provided the same messuages, lands, tenements, meadows, feedings, pastures, woods, underwoods, rectories, tythes, rents, reversions, services and other hereditaments so by them to be had, received and purchased shall not exceed in the whole the clear yearly value of forty pounds by the year beyond all charges and reprises. The statute concerning lands and tenements not to be put into mortmain, or any other statute, act, ordinance or provision heretofore had, made, ordained or provided, or any other thing, cause or matter whatsoever to the contrary thereof, in any wise notwithstanding. We also give and by these presents for us our heirs and successors grant to whatsoever subject or subjects of us our heirs and successors, special licence and free and lawful power and authority, That they or any or either of them shall and may be able to give, grant, sell, leave or alien to the aforesaid mayor, aldermen and burgesses of the borough aforesaid and their successors, messuages, lands, tenements, meadows, feedings, pastures, woods, underwoods, rectories, tythes, rents, reversions, services and other hereditaments whatsoever, which are not holden of us our heirs or successors immediately in chief or otherwise by knights' service, so that all the aforesaid messuages, lands, tenements, meadows, pastures, feedings, woods, underwoods, rectories, tythes, rents, reversions, services and other hereditaments so to the same mayor, aldermen and burgesses of the borough aforesaid and their successors, by virtue of these presents to be given, granted, left or aliened, shall not exceed in the whole the clear yearly value of forty pounds by the year above all charges and reprises : The statute concerning

lands and tenements not to be put into mortmain, or any other thing, cause or matter whatsoever heretofore had, made, enacted, ordained or provided to the contrary thereof in any wise, notwithstanding.

Privileges ratified.

And further we will and by these presents for us our heirs and successors do give, grant, confirm, ratify and approve to the aforesaid mayor, aldermen and burgesses of the borough aforesaid and their successors, All and all manner of liberties, franchises, immunities, exemptions, acquittances, jurisdictions, lands, tenements, wastes, void grounds, commons and hereditaments whatsoever, which the aforesaid mayor, aldermen and burgesses of the borough aforesaid now have, hold, use and enjoy, or which any of them or their predecessors, by whatsoever names or name, or by whatsoever incorporation or by pretext of whatsoever incorporation have heretofore had used or enjoyed, or ought to have, hold, use or enjoy of an hereditary estate by reason or pretext of any charters or letters patent by any of our progenitors or ancestors, kings or queens of England, in any wise heretofore made, confirmed or granted; or by whatsoever other lawful manner, right, title, custom, use or prescription heretofore lawfully used, had or accustomed: although the same or any or either of them have or hath not heretofore been used, or have or hath been abused, misused or discontinued; and although the same or any or either of them are or have been forfeited or lost, To have, hold and enjoy to the aforesaid mayor, aldermen and burgesses of the borough aforesaid and their successors for ever: And rendering and paying therefore to us our heirs and successors yearly as many, as great, the like, the same, and such rents, services, sums of money and demands whatsoever, as and which to us heretofore for the same they have been accustomed or ought to render and pay. Wherefore we will and by these presents for us our heirs and successors firmly injoining, command, That the aforesaid mayor, aldermen and burgesses of the borough aforesaid and their successors shall have, hold, use and enjoy, and shall and may be able fully and intirely to have, hold, use and enjoy for ever, all the liberties, free customs, privileges, authorities, jurisdictions and acquittances aforesaid, according to the tenor and effect of these our letters patent, without the hindrance or impediment of us our heirs or successors whomsoever; being unwilling that the same mayor, aldermen and burgesses of the borough aforesaid and their successors, or any or either of them by reason of the premises or of any of them, shall be hindered, molested, vexed, aggrieved or in any wise disturbed by us or by our heirs, the justices, sheriffs, escheators or other bailiffs or ministers of us our heirs or successors whomsoever: Willing and by these presents for us our heirs and successors, ordering and commanding as well the treasurer, chancellor and barons of the exchequer of us our heirs and successors, as our attorney and solicitor-general for the time being, and every of them and all other officers and ministers of us our heirs and successors whomsoever, that neither they nor any or either of them shall prosecute or continue or make or cause to be prosecuted or continued any writ or summons of quo warranto or any other our writ, writs or process whatsoever against the mayor, aldermen and burgesses of the borough aforesaid or any or either of them, for any causes, things or matters, offences, claims or usurpations, or any of them by them or either of them due, claimed, attempted, used, had or usurped, before the day of the making of these presents: Willing also that the mayor, aldermen or burgesses of the borough aforesaid or either of them shall not in any wise be molested or troubled by any or either of the justices, officers or ministers aforesaid, in or for the due use, claim, usurpation or abuse of any liberties, franchises or jurisdictions, before the day of the making of these our

letters patent; nor shall they be compelled to answer to them or either of them.

Bailiwick of Blakenhurst.

And whereas the lady Elizabeth late queen of England by her letters patent made under her great seal of England, bearing date at Westminster the eighteenth day of February in the ninth year of her reign, for the consideration in the same mentioned did give and grant to the then beloved of the said late queen, Edward Hobbye esquire, son and heir of sir Thomas Hobbye knight then deceased, the office of bailiff of the hundred and liberty of Blakenhurste in her county of Worcester, then late parcel of the possessions of the late monastery of Evesham in the same county of Worcester, and all and singular amerciaments, escheats, estrays, perquisites of courts, of all views of frankpledge and other profits whatsoever in and within the hundred or liberty aforesaid from time to time happening or arising; and the same Edward, bailiff of the hundred and liberty aforesaid she did make, ordain and constitute by her same letters patent—except always nevertheless, out of the aforesaid grant to the said late queen her heirs and successors wholly reserved, all amerciaments, escheats, estrays, forfeitures, perquisites and other her profits within the town of Evesham in her said county of Worcester—to have, hold, receive, exercise and enjoy the office aforesaid and all and singular other the premises above in the same letters patent expressed and specified with the appurtenances, except by the same letters patent before excepted, to the aforesaid Edward Hobbye, as well by himself as by his sufficient deputy or deputies to and for the term of the life of the same Edward Hobbye; as fully, freely, and intirely and in as ample manner and form as the said sir Thomas Hobbye knight deceased theretofore had held, exercised or enjoyed, or ought to have, hold, exercise or enjoy the office aforesaid and other the premises. And further the same late queen by her same letters patent did give and grant to the aforesaid Edward Hobbye for the exercise and occupation of the office aforesaid, the wages and fee of forty shillings of lawful money of England by the year; to have, receive, hold and enjoy the wages and fee aforesaid to the aforesaid Edward, to and for the term of his life, by the hands of the Receiver of the said late queen her heirs and successors for the time being of the issues, rents, revenues and profits of the said late queen her heirs and successors within the county of Worcester aforesaid, to the said late monastery lately appertaining or belonging, as by the same letters patent amongst other things more fully doth and may appear: Know ye that we of our further especial grace and of our certain knowledge and mere motion, and also in consideration that the aforesaid mayor, aldermen and burgesses and their successors, after the death, surrender, or forfeiture of the aforesaid Edward Hobbye will exonerate and acquit us our heirs and successors from time to time during the lives of John Kighley son of the aforesaid sir Philip Kighley knight, Philip Harris the younger son of the aforesaid Philip Harris, and Theophilus Bayly son of the aforesaid Lewis Bayly, from the payment of the aforesaid wages and fee of forty shillings by the year of and for the exercise and occupation of the aforesaid office of bailiff of the hundred and liberty aforesaid by us our heirs and successors so as aforesaid payable, have given and granted and by these presents for us our heirs and successors do give and grant to the aforesaid mayor, aldermen and burgesses of the borough aforesaid and their successors for and during the natural lives of the said John Kighley and Philip Harris the younger and Theophilus Bayly and every of them longest living the aforesaid office of bailiff of the hundred and liberty of Blakenhurste aforesaid in the said county of Worcester, lately parcel of the possessions of the late monastery of Evesham in the said county of Worcester; and all and

singular amerciaments, escheats, estrays, perquisites of courts, of all views of frankpledge, and other profits whatsoever, in and within the hundred or liberty aforesaid from time to time happening or arising; and the same mayor, aldermen and burgesses of the borough aforesaid for the time being and their successors for and during the natural lives of the aforesaid John Kighley, Philip Harries the younger, and Theophilus Bayly, and either of them longest living, bailiff of the hundred and liberty aforesaid we do make, ordain and constitute by these presents: To have, hold, perceive, exercise and enjoy the office aforesaid, and all and singular other the premises above expressed and specified with the appurtenances, to the aforesaid mayor, aldermen and burgesses of the borough aforesaid for the time being and their successors; as well by themselves as by their sufficient deputy or deputies, after the death, surrender or forfeiture of the aforesaid Edward Hobbye, to and for the term of the natural life of the aforesaid John Kighley, Philip Harris the younger, and Theophilus Bayly, and of either of them longest living; as fully, freely and intirely, and in as ample manner and form, as the aforesaid sir Thomas Hobbye knight deceased or the aforesaid Edward Hobbye or any other person or persons heretofore have had, held, exercised, used or enjoyed, or now hath, holds, exercises, uses or enjoys, or ought to have, hold, use or enjoy the office aforesaid and other the premises.

Steward of the Leet.

And whereas we by our letters patent, made under the seal of our court of exchequer, bearing date at Westminster the eighteenth day of June in the second year of our reign of England, France and Ireland, and of Scotland the thirty-seventh, did assign and constitute George Hawkins, gent. to the office and offices of steward and keeper of the courts leet and views of frankpledge of all and singular our lordships, manors, lands, tenements possessions and hereditaments whatsoever, with every of their rights, liberties, members and appurtenances in our county of Worcester, to the late monastery of Evesham in the same county formerly belonging and appertaining, and formerly being parcel of the possessions thereof; and the same George Hawkins, steward and keeper of the courts leet, liberties, views of frankpledge, lordships, manors, lands and tenements and other the premises in our aforesaid letters patent specified, we did make, ordain and constitute by our same letters patent, to exercise, do and hold, execute and prosecute all things the said office of steward in any wise touching or concerning; which of right by us or our officers ought or have been accustomed to be holden and kept, of, in and upon the aforesaid premises—saving always to us all amerciaments, fines and other profits of the said court leet and view of frankpledge of the premises aforesaid, from time to time coming, growing and arising and to us due or appertaining—to have, enjoy, occupy and exercise the said office with every of its appurtenances, to the aforesaid George Hawkins, as well by himself as by his sufficient deputy or deputies during our pleasure: And further, whereas we by our same letters patent did assign and appoint to the aforesaid George Hawkins for exercising the said office, the wages and fee of forty shillings of lawful money of England by the year; to be received and taken yearly out of the issues, rents, farms, revenues and profits of the aforesaid lordships, manors, lands, tenements and hereditaments and other the aforesaid premises from time to time coming, growing and arising; as well by his own proper hands and in his own proper hands to be retained, as by the hands of our Receiver General in the county aforesaid or of the bailiffs of the same premises for the time being, at the feasts of Saint Michael the Archangel and the Annunciation of the blessed Virgin Mary, to be paid by equal portions during our pleasure aforesaid; together with all other wages, fees, allow-

ances, liveries, diets, profits, commodities, advantages, authorities, liberties, places and preeminences whatsoever, to the said office of right due, accustomed, belonging or appertaining; in as ample manner and form as the aforesaid George Hawkins or any other person or persons theretofore having, exercising or occupying the said office, at any time have or hath had, received or occupied or enjoyed; or ought to have, receive or enjoy in or for the exercise and occupation of the office aforesaid, as by the same letters patent more fully doth and may appear; which same our pleasure we do determine by these presents. Know ye further, that we of our more ample especial grace and of our certain knowledge and mere motion, have assigned, nominated and constituted, and by these presents for us our heirs and successors do assign, nominate and constitute, the mayor of the borough of Evesham aforesaid for the time being for and during the natural life of John Kighley, Philip Harris the younger, and Theophilus Bayly, and either of them longest living, to the office and offices of steward and keeper of the courts leet and views of frankpledge of all and singular our lordships, manors, lands, tenements, possessions and hereditaments whatsoever; with every of their rights, members, liberties and appurtenances in our said county of Worcester, to the late monastery of Evesham in the same county formerly belonging and appertaining and formerly being parcel of the possessions thereof. And the mayor of the borough aforesaid for the time being, for and during the natural life of the aforesaid John Kighley, Philip Harris the younger, and Theophilus Bayly, steward and keeper of the courts leet, liberties and views of frankpledge of the premises aforesaid, we do make, ordain and constitute, by these presents; to exercise, do, hold, execute and prosecute all things in any wise touching and concerning the said office which of right by us or our officers ought or have been accustomed to be done and holden in and upon the aforesaid premises—saving to us always all amerciaments, fines, issues and other profits in the said courts leet and views of frankpledge of the premises from time to time, coming, growing, arising and happening and to us due and appertaining to have, hold, enjoy, exercise and occupy the said office of steward with every of its appurtenances to the aforesaid mayor of the borough aforesaid for the time being; as well by himself as by his sufficient deputy or deputies, during the natural lives of the aforesaid John Kighley, Philip Harris the younger, and Theophilus Bayly, and of either of them longest living: Together with all other wages, fees, allowances, liveries, diets, profits, commodities, advantages, authorities, liberties, places and preeminences whatsoever to the said office of right due and accustomed, belonging or appertaining, in as ample manner and form as the aforesaid George Hawkins, gent. or any other person or persons heretofore having, exercising or occupying the said office at any time hath or have had, perceived, occupied or enjoyed, or ought to have, perceive or enjoy, in and for the exercise and occupation of the office of steward and keeper of the courts leet and view of frankpledge aforesaid.

School. And further, for the better education and instruction of boys and youths within the same borough, the liberties and precincts of the same in the liberal arts, learning, virtue and erudition, to be perpetually instructed and informed, of our further especial grace and of our certain knowledge and mere motion we have willed, granted and ordained, and by these presents for us our heirs and successors do will, grant and ordain, That from henceforth for ever there may and shall be within the borough aforesaid, the liberties or precincts of the same, one grammar-school, which shall be called The Free Grammar-school of Prince Henry in Evesham, in the county of Worcester; and the same school, by the name of the Free Grammar-school of Prince

Henry in Evesham, in the county of Worcester, we do erect, ordain, found and establish firmly by these presents: And that the free grammar-school aforesaid shall or may be able to consist of one master and one under-master or usher, and the scholars in the same school to be taught and instructed according to the ordinance and constitution in these presents hereafter specified and declared. And that our aforesaid intention may the better take effect, and that the manors, messuages, lands, tenements, rents, reversions, revenues, hereditaments, annuities, goods and chattels and other profits and hereditaments to be given, assigned and appointed to the support of the free grammar-school aforesaid may be the better governed for the continuance of the same school, we do will, grant and ordain that the mayor and the rest of the common council of the borough aforesaid and their successors from henceforth for ever shall be and be called governors of the goods, possessions and revenues of the free grammar-school of Prince Henry in Evesham in the county of Worcester. And moreover of our further especial grace and of our certain knowledge and mere motion we do will, ordain and establish by these presents for us our heirs and successors, That the aforesaid mayor of the aforesaid borough of Evesham for the time being and the rest of the common council of the same borough and their successors for ever from henceforth may and shall be one body corporate and politic of themselves in deed, fact and name, by the name of the Governors of the goods, possessions and revenues of the free grammar-school of Prince Henry in Evesham in the county of Worcester; and them and their successors into one body corporate and politic, really and fully, for us our heirs and successors we do incorporate, erect and create, ordain, make and establish by these presents; and that by the same name of governors of the goods, possessions and revenues of the free grammar-school of Prince Henry in Evesham in the county of Worcester for ever hereafter, they shall be known, called, esteemed and named, and shall have perpetual succession. And further we will and ordain, and by these presents for us our heirs and successors grant to the aforesaid governors and their successors, That they and their successors from henceforth for ever shall have a common seal to serve for their business touching the free grammar-school aforesaid, according to the tenor and true intent of these our letters patent; and that it shall and may be lawful for them and their successors from time to time the same seal from time to time at their pleasure to break, change and make anew as to them shall seem meet: And that they and their successors, by the name of governors of the goods, possessions and revenues of the free grammar-school of Prince Henry in Evesham in the county of Worcester, may and shall be for ever hereafter persons able, fit and capable in the law, to have, purchase, receive and possess to them and their successors, goods and chattels, and also manors, messuages, lands, tenements, meadows, feedings, pastures, rents, reversions, services, rectories, tythes and other possessions and hereditaments whatsoever, towards the support and maintenance of the said grammar-school, as well of us our heirs and successors, as of any other person or persons whomsoever: And that the aforesaid governors and their successors, by the name of governors of the goods, possessions and revenues of the free grammar-school of Prince Henry in Evesham in the county of Worcester, shall and may be able to plead and be impleaded, defend and be defended, answer and be answered, in all and singular causes, plaints, actions, suits, and demands whatsoever, of whatsoever kind, nature or sort they may be, in whatsoever places and courts of us our heirs and successors and before whatsoever judges and justices of us our heirs and successors or any of them within our kingdom of

England: And to do and execute all and singular other deeds and things by the name aforesaid, as other our liege subjects of our kingdom of England, persons able and capable in the law, do and are able to do within our kingdom of England in the places and courts aforesaid and before the judges and justices aforesaid.

Masters. And further we will, and by these presents for us our heirs and successors give and grant licence, power and authority to the aforesaid governors and their successors to elect, nominate and appoint, and that they shall and may be able to elect and appoint one honest man, learned and fearing God, to be master of the free grammar-school aforesaid; and one other discreet and fit man to be under master or usher of the same school; which same master and under master or usher so as aforesaid elected, nominated and appointed, shall be and continue, and each of them shall be and continue in their offices aforesaid during the pleasure of the same governors and their successors for the time being. And that as often as any master or under master of the free grammar-school aforesaid shall happen to die or be removed from his office aforesaid, that then and so often it shall and may be lawful for the aforesaid governors and their successors to elect, nominate and prefer one other honest and learned man and fearing God, in the place of such master so dead or removed from his office and place aforesaid; and also one other honest and fit man in the place of such under-master or usher so happening to die or be removed: and that every master or under-master so as aforesaid elected, nominated and preferred, shall be and continue in the office or place of master or under-master of the same free grammar-school during the pleasure of the same governors of the goods, possessions and revenues of the free grammar-shool, and their successors. And that the same governors of the goods, possessions and revenues of the said free grammar-school of prince Henry in Evesham in the county of Worcester for the time being and their successors shall make and shall and may be able to make fit and wholesome statutes and ordinances in writing, concerning and touching the nomination, election, ordering, government, punishment, expulsion, removal and direction of the said free grammar-school, the master and under-master of the same school, and of the scholars being in the same school; and concerning and touching the ordering, government, demising, letting, disposition, recovery, defence and preservation of the manors, messuages, lands, tenements, possessions, hereditaments, goods and chattels, to be given, granted or assigned for the maintenance of the aforesaid free grammar-school: which same statutes and ordinances so to be made, we will, ordain, and for us our heirs and successors by these presents order and command from time to time to be inviolably observed for ever. So nevertheless that the aforesaid statutes and ordinances so as aforesaid to be made or any of them shall not be repugnant or contrary to the laws, statutes, rights or customs of this our kingdom of England. And moreover of our further especial grace and of our certain knowledge and mere motion we have given and granted and by these presents for us our heirs and successors do give and grant to the aforesaid governors of the goods, possessions and revenues of the aforesaid free grammar-school of prince Henry in Evesham in the county of Worcester and their successors, especial licence and free and lawful power, faculty and authority to have, purchase, receive and possess to them and their successors for ever for the perpetual support and maintenance of the free grammar-school aforesaid, manors, messuages, lands, tenements, meadows, feedings, pastures, woods, underwoods, rectories, rents, reversions and services and other hereditaments whatsoever, within our kingdom of England or elsewhere within our dominions, as well of us our heirs and successors

as of any other person or persons whomsoever which are not immediately holden of us our heirs or successors in chief or by knights' service; provided the same manors, messuages, lands, tenements, meadows, feedings, pastures, woods, underwoods, rectories, tythes, rents, reversions, services and other hereditaments shall not exceed in the whole the clear yearly value of forty pounds by the year, beyond all charges and reprises; the statute concerning lands and tenements not to be put into mortmain, or any other statute, act, ordinance or provision to the contrary thereof heretofore had, made, ordained, or provided, or any other thing, cause or matter whatsoever in any wise notwithstanding. And also we give and grant for us our heirs and successors by these presents, to every subject of us our heirs and successors whomsoever especial licence and full and lawful power, faculty and authority, that they or any or either of them shall and may be able to give, grant, sell, leave or alieu, manors, messuages, lands, tenements, meadows, feedings, pastures, woods, underwoods, rectories, tythes, rents, reversions, services and other hereditaments whatsoever, which are not holden of us our heirs or successors immediately in chief or otherwise by knights' service, to the aforesaid governors of the goods, possessions and revenues of the aforesaid free grammar-school of prince Henry in Evesham in the county of Worcester and their successors; so nevertheless that all the aforesaid manors, messuages, lands, tenements, meadows, feedings, pastures, woods, underwoods, rectories, tythes, rents, reversions and services and other hereditaments so as aforesaid to be given, granted, left or aliened to the same governors and their successors by virtue of these presents shall not exceed in the whole the clear yearly value of forty pounds by the year beyond all charges and reprises; the statute concerning lands and tenements not to be put into mortmain or any other statute, act, ordinance or provision heretofore had, made, enacted, ordained or provided, or any other thing, cause or matter whatsoever in any wise notwithstanding.

Master's Annuity.

And moreover of our further especial grace and of our certain knowledge and mere motion we have given, granted and confirmed, and by these presents for us our heirs and successors do give, grant and confirm unto the aforesaid mayor, aldermen and burgesses of the borough aforesaid and their successors, in and towards the maintenance of the master of the school aforesaid for the time being a certain annuity of ten pounds by the year, heretofore by us and by divers of our progenitors and ancestors allowed and paid to the master of the school aforesaid, as it appears to us by divers records and memoranda remaining in our court of exchequer, to have, receive and perceive the annuity aforesaid to the aforesaid mayor, aldermen and burgesses of the borough aforesaid and their successors to the use aforesaid, by the hands of the Receiver of our county of Worcester at the feasts of the Annunciation of the blessed Virgin Mary and Saint Michael the Archangel, by equal portions to be paid yearly for ever: And these our letters patent or the inrollment thereof shall be from time to time, as well to the aforesaid receiver for the time being as to all other our officers and ministers whomsoever, for the allowance and payment thereof sufficient warrant and discharge in that behalf.

Conclusion.

We will also and by these presents for us our heirs and successors grant to the aforesaid mayor, aldermen and burgesses of the borough aforesaid and their successors, That these our letters patent and all and every thing in the same contained shall stand and be good, firm, valid, sufficient and effectual in the law; and all and every thing in these presents expressed and specified, as well as to the sentences and intent as to the words, shall be expounded, declared, construed, interpreted and adjudged

most beneficently, favorably, graciously and for the utility and benefit of the same mayor, aldermen and burgesses of the borough aforesaid and their successors against us our heirs and successors: any omission or defect in the same to the contrary thereof in any wise notwithstanding. We will also, &c. without fine in the hanaper, &c. notwithstanding that express mention, &c. In witness whereof, &c. Witness the king at Westminster the third day of April. *By Writ of Privy Seal.*

XV.—CONSTITUTIONS OF THE BOROUGH OF EVESHAM.

Framed under the abrogated Charter of Charles II.—From the Original in the archives of the Borough.

Preamble. CONSTITUTIONS, orders and ordinances, made, ordered and constituted by the mayor, recorder, aldermen, chamberlain and capital burgesses of the borough of Evesham in the county of Worcester, in the guild-hall of the said borough, for the better government and ordering of the said borough and of the officers, ministers, artificers, resiants and inhabitants within the same borough; as also for the ordering and government of the schoolmaster and scholars of the free grammar-school within the said borough, according to the charter of our sovereign lord king James the First, in the third year of his reign, in that behalf granted, and by virtue of another charter in the same behalf, granted by our late sovereign lord king Charles the Second, under his highness's great seal of England, bearing test the twelfth day of June, in the six and thirtieth year of the reign of his said majesty king Charles the Second over England, Scotland, France and Ireland, defender of the faith, &c.—as followeth.

Mayor's election. I.—That the mayor of the said borough yearly always hereafter shall be chosen on the Tuesday next after St. Bartholomew's day in manner and form following: that is to say, The mayor for the time being shall first cause the serjeant-at-mace of the said borough for the time being six days before every Tuesday next after St. Bartholomew's day to warn the recorder, all the aldermen, capital burgesses and other the electors, appointed by the said later charter, by eight of the clock in the forenoon in their several and respective habits and gowns to meet at the mayor's dwelling-house for the time being to attend the said mayor to church, there to hear a sermon, and thence to attend the said mayor to dinner. And in the afternoon to attend the said mayor to the guild-hall or council-chamber of the said borough, there to make election of a mayor of the said borough for the year then ensuing. The said mayor so to be elected being such an one of the common council of the said borough for the time being as by the said later charter is capable of being elected. And for the more orderly proceeding therein, the said mayor or common council or greater number of them shall first nominate two of the said common council, who shall then stand in election to be mayor. Out of which two the said mayor aud common council or the greater number of them shall elect one to be mayor for the year then respectively following: who accordingly shall take upon him the exercise and execution of the said office or place of mayor of the said borough on Tuesday next after the octaves of St. Michael the archangel then next after. And the said mayor so to be elected, with the common council or as many of them as shall be present at the said election, shall accompany the said old mayor back again to his house after the said election. And if the old mayor for the time being shall fail to give notice as aforesaid of such election, then he shall incur such fine or penalty as the residue of the common council or the greater number of them shall impose upon him, according to the quantity of

the offence. And every of the common council having such warning as aforesaid, that shall make default to meet at the mayor's house and to attend him to the church, thence to dinner or to the guild-hall or council chamber as aforesaid, shall forfeit for such default twenty shillings; which respective fines of the said mayor and common council respectively shall be to the use of the chamber of this borough.

Swearing-in.

II.—Item: That the mayor-elect and common council, in their respective habits, on every Tuesday next after the octaves of St. Michael by eight of the clock in the morning, shall meet at the mayor's house for the time being, and from thence accompany him to church to hear a sermon, and thence to the guild-hall, there to continue until the mayor-elect shall have taken his oath. And that the said mayor-elect shall there accordingly take his oath, standing in the inner bar of the court in the said guild-hall before the then mayor his predecessor and such of the common council as shall be there present.

Mayor's vote.

III.—Item: It is further ordered, constituted and agreed, that the mayor for the time being shall from time to time as occasion shall be ministered, give his voice and assent upon every election of a new mayor and upon all and every other lawful occasion and consultation for the good government of this borough with the major part of the common council of the said borough for the time being: upon pain that every mayor so refusing or not assenting to give his voice with the major part of the said common council shall forfeit for every time so refusing or not assenting in the matter of election as aforesaid the sum of one hundred pounds, and to be imprisoned until he shall pay the said sum of one hundred pounds; and also for refusing or not assenting to give his voice with the greater number as aforesaid in any other matter relating to the good government of the said borough, to forfeit such sum or sums of money as to the said common council or the greater number of them from time to time shall be thought fit and reasonable, according to the quantity and quality of the offence.

Disclosing counsel.

IV.—Item: If any mayor or any person of the common council of the said borough shall at any time disclose, utter or make known the counsel of the mayor and common council concerning matters conferred and communed of and in their council chamber or guild-hall touching the affairs and government of the said borough, then he or they shall every one forfeit to the use of this borough for every time so offending the sum of forty shillings.

Mayor's accounts.

V.—Item: That every mayor of this borough shall after his mayoralty, as hath been formerly accustomed, yield up his account to the mayor for the time being and to the rest of the chamber of all such profits, perquisites and sums of money which came to his hands for the use of this borough during the mayoralty of such late mayor or with which he was intrusted at the day in the late charter mentioned for that purpose; unless the time of such account shall be deferred by the order of the mayor and common council, and then shall make his account on such day as shall be appointed; upon pain of forfeiture of one hundred pounds for his default therein.

Mayor's court.

VI.—Item: It is constituted and ordained, that the first Friday in every month shall continue and abide to be the day of the mayor's court or monthly meeting according to the laudable custom of times past, to consult of such things as shall be for the benefit and good government of this borough; and that the mayor for the time being shall cause his serjeants to give notice to the respective members of the common council of such monthly meeting and of every other meeting of the said common council which the mayor for the time being in his discretion shall upon any

emergent occasion think fit to summon. And after such notice given, then if any person or persons of the said common council shall fail to appear at such monthly or other meeting according to such notice, he and they shall forfeit and pay to the use of the said borough the sum of two shillings sixpence *toties quoties* such failure shall be made, except reasonable excuse can be given to the satisfaction of the mayor and common council of the said borough or the greater number of them that shall be present when such respective failure shall be made.

Assize, &c. VII.—Item: That the mayor for the time being, being clerk of the market of and within the said borough, with one of the common council and one warden of a company and one of the constables of the said borough as the said mayor shall nominate, shall once every week at the least search the bakers, brewers, artificers and craftmen's houses within the said borough, to see how they keep the assize and whether their victuals be wholesome and allowable to be sold, and to see whether their measures are perfect according to the standard, and whether other artificers behave themselves according to the laws.

Precedence. VIII.—Item: That the common council shall every of them have his and their place and precedency according to their auncientie as hath formerly been gravely and laudably observed; as also shall have decent gowns accordingly as hath been accustomed formerly; and shall in such order and decency attend the mayor on the Lord's day and such festivals and holy days as they have heretofore used to do upon such days, and at all other times as often as the mayor upon extraordinary occasions shall summons them so to do; upon such respective pains and penalties as the mayor and common council or the greater number of them shall think fit to impose.

Immoral characters. IX.—Item: That no debauched or scandalous person shall be elected into the common council or into the number of assistants.

Refusing office. X.—Item: That every one that shall hereafter happen to be elected mayor, alderman, capital burgess or assistant of and within the said borough, and shall refuse to take upon him or them to exercise such office or place, shall forfeit and pay to the use of this borough such fines, penalties or forfeitures as shall be imposed by the mayor and common council or the major part of them; not exceeding one hundred pounds for any one default.

Vacancies. XI.—Item: That the mayor for the time being shall within one month after the decease or removal of any alderman, capital burgess or assistant of this borough cause the common council of the said borough to be summoned to meet at the council-chamber or guild-hall of the said borough, to elect another alderman, capital burgess or assistant, as the case shall respectively require.

Muniments. XII.—Item: That all writings being of public purport and relation to the corporation and common seal of this borough shall be kept in a chest or some other convenient place in the council-chamber; that a ready recourse may be had to them upon all occasions when the mayor and common council shall there meet. And that no common seal of the said corporation shall be affixed to any writing relating to the lands and goods of the corporation, without the consent of the chamber or greater part of them, upon pain of forfeiture of one hundred pounds for every such offence.

Non-councillors. XIII.—Item: That no person of the common council of this borough or any other inhabitant thereof, not being present in the council-chamber or the guild hall of this borough when any matters shall be conferred or agreed upon by the mayor or common council of the said borough, shall by any means speak against or go about to break off, overthrow or impugn any such order or agreement that shall happen to be

so conferred of or agreed upon; unless by due and orderly course in the council-chamber, by shewing forth his or her reasons how the same may be prejudicial to the government of this borough: upon pain to forfeit to the use of this borough such penalty as the mayor and common council or the major part of them shall impose.

Apprentices.

XIV.—Item: That every apprentice after he hath actually *et bonâ fide* served the time of his apprenticeship shall be made free of this borough and take the usual oaths of a freeman, and pay the accustomed fees. And if such apprentice or apprentices shall refuse or neglect to be admitted and sworn free as aforesaid, by the space of twelve months next after their respective terms and apprenticeships are out, then he or they shall lose the benefit of his or their freedom.

Apprentices misused.

XV.—Item: If any apprentice or servant shall be abused by their master, or any master by their servant, then they respectively are to complain to the chamberlain and wardens of the occupation whereof they are: and if they shall not do right to the misused, then the matter to be ordered by the mayor and common council or the most part of them at the mayor's then next monthly court.

Taxation.

XVI.—Item: It is ordered, constituted and decreed, that every freeman, commorant and inhabitant of this borough shall bear and pay all and all manner of taxations, impositions, forfeitures, fines and amerciaments, and all other duties that already are or hereafter shall be lawfully taxed, imposed or rated upon him or them by any ordinance or constitution herein before or hereafter in these presents contained, or by any other reasonable order, or by law of this borough, or shall be otherwise due to the same borough. And if any of them shall refuse to pay the same or shall wilfully withstand the mayor or any of his officers appointed or to be appointed to collect and receive the same, that then the mayor and common council for the time being shall either by the serjeants-at-mace or some others especially to be appointed for that purpose, from time to time distrain such person and persons by his and their goods for such sum and sums of money and other duties and forfeitures; and such distress or distresses so to be taken to keep or detain by the space of fourteen days. And if the said duties and forfeitures shall not be paid or satisfied within that time into the hands of the mayor or chamberlain for the time being, then the said mayor and common council shall cause the said distress and distresses to be sold, and of the money thereof to be made to deduct the duties and forfeitures aforesaid. And if upon sale of the said goods there shall happen to remain any overplus of money over and above the duties and forfeitures aforesaid and reasonable charges for making the said distresses, then the said surplusage shall be from time to time restored to the party or parties who owned the said goods: or else the said mayor, aldermen and burgesses shall or may from time to time, either in the name of the corporation or in the name of the chamberlain for the time being bring an action of debt for such duties or forfeitures against him or them that shall owe, incur or forfeit the same, for the recovery and obtaining thereof. Otherwise the mayor and common council shall and may disfranchise such person or persons so refusing as aforesaid, as to them shall seem convenient.

Freemen to assist officers.

XVII.—Item: That every freeman inhabiting within the said borough shall from time to time as occasion shall require, upon demand thereof, aid and assist the mayor, serjeants, constables and all other officers of this borough, if they be withstood, resisted or evilly entreated by any manner of persons, when they are to execute their authorities or office, upon pain to forfeit for every such default to the use of this borough ten shillings or more, as by the discretion of the mayor and common council or the most part of them shall be thought meet.

Depraving mayor, &c.

XVIII.—Item: That if any of the inhabitants of this borough being of the common council or otherwise, shall with opprobious, contemptuous or unseemly words or gestures, deprave or misuse the mayor, the common council or any of them, or any of the masters or wardens of the companies, or speak or do any thing derogatory or prejudicial to the constitutions and ordinances of this borough or any of them, that then upon complaint and due proof thereof made, such offender or offenders shall forfeit and sustain such fine or other punishment as shall be from time to time thought meet and ordered by the mayor and common council or the most part of them; be it pecuniary, by disfranchisement, imprisonment, or otherwise.

Chamberlain.

XIX.—Item: The chamberlain for the time being shall attend from time to time the mayor and common council at every mayor's monthly court; to the intent then and there to enter and register in a book to be produced for that purpose all the orders and other the proceedings of every of the said courts: which said book shall be safely locked up presently after the end of every court in a chest or other safe place therefore especially to be appointed; which shall be locked up with two keys, whereof the mayor to keep one and the chamberlain for the time being the other.

Grammar school.

XX.—Item: It is ordered, constituted and appointed, that the mayor and common council of this borough shall between Saint Michael the Archangel and the Nativity of our Saviour, nominate and choose one alderman and two capital burgesses, to be aiding and assisting unto the mayor for the time being in the government of the free-school of the said borough for one whole year together. And they so from time to time yearly as much as in them lieth shall have and take care for the due reparation of the said school, and shall be ready as well in the behalf of the schoolmaster as of the scholars to hear all complaints and grievances happening to arise between the said master and his scholars or any others, for matters as well concerning the good government and ordinancy of the schoolmaster as of the demeanour and carriages of the scholars.

Companies.

XXI.—Item: Whereas the inhabitants of this borough for the better regulations of their trades and occupations have formed themselves into divers companies and fraternities; that is to say the company or fraternity of the mercers as the first company, the company or fraternity of cordwainers as the second company, the company or fraternity of cloth-workers as the third company, the company or fraternity of glovers as the fourth company, and the company or fraternity of the ironmongers as the fifth and last company, and have had and enjoyed divers constitutions and orders respectively whereby they have been the better governed: nevertheless through the licentiousness of the late wars confusion got into the place of order, and many indirect ways have been taken to lessen and bring into contempt the order and good government of this borough: and amongst other innovations brought in it is not the least that the several and respective societies, companies or fellowships, respectively have taken upon them to make many strangers free of their said companies without so much as acquainting the mayor and common council therewith; and under the notion of this supposed freedom, such strangers and others that are so brought in refuse to be admitted and sworn freemen of the said borough, to the great loss and prejudice of the said common council and to the undervaluing and contempt of the good government of the said borough: For the avoiding of which mischiefs and inconveniences for the time to come and that a right understanding may be had between the common council and the said respective fraternities or companies, It is constituted, ordered and decreed, that the constitutions and orders of the said respective five companies shall be and are hereby revived; and shall continue and abide in as full

power, strength and virtue, as ever they were: subject always to the constitutions, orders and conditions following—*First:* It is ordered and constituted that no person or persons of the said respective companies shall presume to admit, swear or otherwise howsoever take into their respective company or companies any person or persons, until the master or wardens of such company or companies and the greater number of them and the mayor and common council of this borough or the greater number of them shall have consented and agreed thereunto under their respective hands in writing. The same consent to be entered in the town-book or some other book for that purpose.—*Item:* If the mayor and common council shall at any time hereafter admit to the freedom of this borough any person or persons which shall be of any trade or occupation belonging to any one of the five companies as abovesaid, the said person so admitted to freedom shall not exercise any such trade or occupation till he shall also be made free of some one of the said five companies unto which such trade or occupation shall belong. Such company not exacting by way of fine for admittance in their company any greater sum than such as shall be imposed on the said person by the common council for the freedom of this borough: provided such sum be not less than ten pounds.—*Item:* It is constituted and ordained that upon the admission of every or any person or persons into any or either of the said fraternities the person and persons so to be admitted as aforesaid shall first take the oath of a freeman and the other oaths mentioned in the late charter granted to this borough the twelfth day of June, in the six-and-thirtieth year of the reign of our late sovereign lord king Charles the Second. And if any person or persons shall be elected or admitted into any or either of the said company or companies otherwise or in any other sort or manner than as aforesaid, then every such election and admittance shall be void to all intents and purposes. And the master and wardens of each said company or fraternity that shall presume to do otherwise or in any other manner than as aforesaid shall forfeit and pay to the use of the mayor, aldermen and burgesses of this borough the sum of twenty marks apiece, to be levied as other fines and forfeitures are appointed to be levied as aforesaid.—*Item:* It is ordained, that no person within the said borough shall fraudulently or colourably presume to take any apprentice with intent to make him a freeman, without doing and performing seven years' actual service at the least: and that the master of such apprentice shall cause the indentures of such apprentice to be enrolled with the chamberlain of the said borough for the time being, within the space of three months next after the date of such indentures, under pain of the disfranchisement of such master: and that such apprentice shall have or take no benefit as to the freedom of the said borough by such indenture.—*Item:* That the relict of every freeman may use the trade of her deceased husband during her widowhood; and the eldest son which every freeman shall leave at his death shall be made free by his father's copy, if required. Provided always that if any article, ordinance or matter before specified shall be contrary to the king's highness's laws or statutes or the commonwealth of this borough, that then the said articles, grants, rules, or ordinances before specified, for so much as in the said ordinances are contained which is or in any wise may be found contrary or repugnant to the said laws or statutes or commonwealth of the said town, shall be utterly void and of none effect, any article, matter, or clause before made or granted to the contrary notwithstanding.

In witness, confirmation and for the better corroborating of all which premises, Sealing, &c.

the mayor, aldermen and burgesses of the borough aforesaid have not only set hereunto the common seal of their said incorporation, but also the said mayor, recorder, aldermen, chamberlain and burgesses hereunder more particularly mentioned have hereunto subscribed their particular and respective names and fixed their seals, the first day of June, in the third year of the reign of our sovereign lord James the Second, by the grace of God, of England, Scotland, France and Ireland, king, defender of the faith, &c. anno dom. 1687.

Approval. We, Sir Richard Holloway, knight, one of his majesty's justices assigned to hold pleas before his majesty, and Sir Thomas Jenner, knight, one of the barons of the exchequer, justices assigned to take the assizes at Worcester in the county of Worcester, have viewed and examined all and every the before-mentioned constitutions, orders and ordinances, and do as much as in us lies approve and allow the same. In witness whereof we have hereunto put our hands and seals at the assizes held for the said county, the one-and-twentieth day of July, in the third year of the reign of our sovereign lord James the Second, by the grace of God of England, Scotland, France, and Ireland, king, defender of the faith, &c. anno. dom. 1687.

RICHARD HOLLOWAY L. S.	THO. JENNER L. S.
Edward Walker, mayor L. S.	Wm. Rudge L. S.
James Michell L. S.	Ro. Martin L. S.
Martin Ballard L. S.	Nicholas Feild L. S.
Richard Younge L. S.	Geo. Hopkins L. S.
John Horne L. S.	Tho. Harris L S.
Will. Martin L. S.	Jarritt Smith L. S.
William Lane L. S.	

XVI.—REPORT ON THE CORPORATION OF EVESHAM;

By the Commissioners appointed to inquire into the Municipal Corporations in England and Wales.—Ordered to be printed 30*th March,* 1835.

Local limits. 1. THE local limits of the corporation comprise the parishes of All-saints and St. Lawrence in Evesham, and the parish of Bengeworth, the whole containing a population of about 4000 persons.

The extent of the borough is correctly described in the map of the Boundary Commissioners.

Charters. 2. The governing charter, granted in 1605, 3 Jac. I. is the only one in the possession of the corporation; but charters by Charles II. and James II. are said to be in existence.

Title. 3. The corporation is styled "The Mayor, Aldermen and Burgesses of the Borough of Evesham."

Members. 4. It consists of a mayor, seven aldermen including the mayor, twelve capital burgesses, a recorder and a chamberlain, who constitute the common council of the borough; twenty-four assistant burgesses, a coroner who is also sheriff, and two serjeants at mace. This is the order in which the officers are named in the charter.

Aldermen. 5. The aldermen, two of whom must be inhabitants of Bengeworth, are elected out of the burgesses by the common council. They hold their office for life: four of

them, selected by the mayor, aldermen and capital burgesses, act as justices of peace, and with the mayor and recorder are justices of gaol delivery.

The aldermen have no salaries, privileges or emoluments.

Capital burgesses.

6. The twelve capital burgesses are elected for life by the common council from the burgesses; their only functions are as a constituent part of the common council, and they have no privileges, salaries or emoluments.

Recorder.

7. The recorder, who ought by the charter to be a person skilled in the laws, is chosen for life by the mayor, aldermen and capital burgesses; he is a necessary member of the courts of record and quarter sessions, but has power to act by deputy. He has no privileges, salary or emoluments.

The present recorder, Lord Northwick, has occasionally presided at the quarter sessions; but the duties of his office are commonly discharged by his deputy.

Chamberlain.

8. The chamberlain is elected by the mayor, aldermen and capital burgesses from among the burgesses. He holds his office during pleasure, and his duties are to receive the revenues, and keep the books, charters and accounts of the corporation. The present chamberlain performs also the usual duties of a town clerk. He has no salary, but receives the fees incident to the courts of record and quarter sessions, and fees on the admission of freemen.

Mayor.

9. The mayor is annually elected by the common council out of their own body on the first Tuesday after the feast of St. Bartholomew. He acts as chief magistrate of the borough and presides in the courts of record and quarter sessions, but has power to appoint a deputy. He has also the return of all writs, is clerk of the market, and by the provisions of the charter keeper of the gaol.

He has no fixed salary or emoluments: it is customary to allow him £30 towards a public dinner on his entering into office; the necessary expenses of which far exceed that amount. Once in seven years the mayor must be a resident of Bengeworth.

Assistants.

10. Twenty-four assistant burgesses are ordered by the charter to be elected by the common council out of the burgesses of the town.

They have no functions, salary or emoluments; nor any privileges, except that they are eligible to the office of coroner.

Coroner.

11. The coroner, who under the charter also acts as sheriff, is elected by the mayor, aldermen and capital burgesses out of the capital or assistant burgesses. He holds his office during pleasure.

He has no salary, nor any fees, except one guinea on holding an inquisition, and 2*s.* 6*d.* for a certificate to authorize the burial of a corpse upon which an inquest has been holden.

Serjeants.

12. Two serjeants at mace are appointed by the mayor for the time being; in fact, they continue in office from year to year: their duties are to serve process, summon juries, attend the mayor, and act as constables. They receive 50*s.* a year each from the mayor, besides certain fees on the service of process and admission of freemen.

Freemen.

13. Freemen or burgesses are created by election, birth and servitude:—

1.—The mayor, aldermen and capital burgesses are authorized by the charter to choose and constitute burgesses of the borough so many persons residing without as well as within the borough, as to the mayor, aldermen and capital burgesses, or the greater part of them, shall seem most conducive to the public good of the borough.

2.—By usage, the eldest son of a burgess at the time of his decease is entitled to be admitted a burgess.

3.—Every person who has served a seven years' apprenticeship to a freeman of the borough is entitled to his freedom.

Their number.

14. Before the Reform Act, the privilege of voting in the election of members of parliament was in the burgesses, and in 1830 there were about 427 voters, of whom not more than 190 were resident. The whole number on the Register of Voters at the last revision was 359, of whom 182 were resident burgesses.

Number of persons admitted freemen of the borough of Evesham in the following years;—

	By Election.	*By Birth and Servitude.*	
1826	1	50	Dissolution of parliament; general [election.
1827	1	0	
1828	1	0	
1829	4	0	
1830	1	36	General election, and a contest.
1831	1	3	
1832	1	2	

Resident freemen 148

Residing within seven miles 34

There are upwards of 230 freemen residing in London and other parts of the kingdom.

Ruling body.

15. The seven aldermen, twelve capital burgesses, recorder and chamberlain, in all twenty-one persons, of whom the mayor is one, constitute the ruling body of the corporation, and are self-elected in the manner above set forth.

We believe that this constitution of the ruling body has been and still is productive of great evil to the town. In particular, complaints were made of the narrow and exclusive spirit in which the body is perpetuated. Every one who is known to entertain opinions at variance with those of the influential part of the corporation is carefully excluded from this body. No dissenter however respectable has ever been elected; and previously to 1818, when it was considered desirable to reduce the number of voters, obstacles as we were informed were thrown in the way of admitting persons entitled to their freedom by birth or servitude.

In consequence of frequent contests in the election of members of parliament, party feeling has long run high at Evesham, and, independently of other mischief, the exclusion of certain classes from all participation in the management of the town has produced and keeps alive, to a very injurious extent, a feeling of jealous animosity.

Fees.

16. The chamberlain receives the following fees on the admission of freemen:—

	£	*s.*	*d.*
For the enrollment of every indenture of apprenticeship .	0	7	6
On admission to freedom by birth or servitude, 5*s.* of which is paid to serjeants at mace	1	10	0
On admission of honorary freemen, 10*s.* of which is paid to serjeants at mace	2	0	0

The fees on admission were reduced by the corporation in 1830 from five guineas and three guineas to their present amount.

Fines

Persons elected mayor, alderman, capital or assistant burgess, are liable to a fine of £100 for refusing to execute the office, and upon other occasions; but these fines have

fallen into disuse: as also have fines upon non-freemen for trading in the borough.

17. A court of quarter sessions, a court of record, a court of pie powder and a court leet, discontinued, are authorized to be holden by the charter. Courts.

The court of quarter sessions is regularly holden. It is composed of the mayor, recorder and four justices, of whom the mayor, recorder and one justice must be three. Their jurisdiction, which is exclusive, corresponds with the limits of the borough, and extends to all felonies and offences whatsoever.

The scale of fees is the same as at the county sesssions.

Thirty-four felonies and 4 misdemeanours have been tried during the last seven years.

18. The court of record is held every Tuesday before the mayor, recorder and senior alderman, or the mayor and recorder. It has jurisdiction over all causes of action arising within the borough, provided they do not exceed £100 in value. Court of Record.

The process is by capias and summons, and the pleadings are as at common law.

Tables of the costs in this court accompany this Report. During the last seven years only two causes have been tried. But 34 summonses have been issued for debts under 40*s.* and 34 capias's for small debts exceeding that amount.

Few cases are removed by *certiorari* or *habeas corpus*.

Judgment is obtained, and execution issued in from three to five weeks, and it is considered by resident practitioners, that the court might be exceedingly useful if a competent judge, unconnected with local party, were appointed to preside over it. Great complaints, however, were made to us as to the mode in which justice is administered in this court, as well as in the court of quarter sessions. Party spirit, as we have before stated, has always run high in the town. The corporation is one of the conflicting parties; and the leading members of the corporation constitute the judges of the borough. Under such circumstances, perhaps, it would be difficult for the most upright and intelligent magistrate to divest himself altogether of a bias in favour of his own partisans.

Whether the magistrates of Evesham are exempt from such infirmities or not, an impression prevails among many of the inhabitants of the borough that the administration of justice is conducted by the corporation with a view to party feelings and party purposes; and a particular instance of this was pointed out, upon which, after hearing the allegations on both sides, and inquiring into the circumstances,[11] we were not able to come to any certain conclusion. However, as far as we had the means of judging, it appeared that the municipal authority was vested in the best hands with reference both to intelligence and character to be found in so small a district.

It is plain, that while a persuasion, such as we have described, prevails, whether with or without reason, the administration of justice must be attended with a degree of discredit and mistrust which cannot but be prejudicial to every social institution.

19. The juries are selected and summoned in the usual way from among the persons competent to serve. Juries.

20. There is no regular police. But two constables from each parish, appointed Police.

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[11] The instance in question was adduced rather as having a suspicious appearance, than as forming the ground of any actual inculpation; and though we investigated the matter with some diligence, we did not esteem it within the scope of our commission to enter on it with the minuteness and formality of a judicial tribunal.

by the mayor, act in aid of the serjeants at mace and the crier, who is also a constable. A street-keeper appointed under a local act has been discontinued within the present year in order to avoid expense, and great inconvenience has consequently ensued, in the increase of vagrants, nuisances and petty trespasses.

The mayor resides in the town, and a petty sessions is holden every week.

The amount of the borough rate, which is levied instead of a county rate, has been for the last seven years as follows:—

	£	s.	d.
1826	69	6	10
1827	166	7	2
1828	120	3	7
1829	107	5	2
1830	90	1	8
1831	101	18	0
1832	141	16	7

Gaol. 21. The gaol, an old building, but dry and secure, is under the superintendence of the borough magistrates. The gaoler is appointed by them at the sessions, and has a lodging rent free, and a salary of £20 a year.

Revenues. 22. The corporation has no property, except one quit rent of 10*s.* and the tolls of the market, which they hold subject to a fee farm rent of £13 16*s.* 8*d.* paid to Edward Rudge, esq.

During the last seven years the tolls have produced from £114 to £133 per annum.

The following is an account of one year's receipt and expenditure,—

Receipt:	£	s.	d.
Rent of tolls	114	0	0
One year's chief rent	0	10	0
Balance	12	14	0
	£127	4	0

Expenditure:	£	s.	d.
Serjeants' dinner	0	10	0
Servants for venison	1	19	0
Bill for feast	31	8	6
Ringers for the year	2	16	0
Ditto for Bengeworth	1	0	0
Letting tolls	1	1	0
Repairing town clock	1	5	0
Coal and candles	1	3	7
Stationery and postage	0	19	11
Mr. Rudge's year's fee farm rent	13	16	8
Bills for constables	5	8	0
Serjeants at mace, salaries and small bills	6	19	3
Crier's suit, hat, &c.	7	2	0
Principal on mortgage of tolls	40	0	0
Interest of debt	12	0	0
	£127	8	11

23. The corporation appoint a master to the free school with a salary of £10 a year; and in default of an appointment by Lord Coventry, select the objects of a charity of £20 distributed annually among the poor of the three parishes. Patronage.

24. The only local act relating to the borough is 5 Geo. IV. c. entituled "An act for paving, cleansing, lighting, watching, regulating and improving the borough of Evesham in the county of Worcester; for repairing, improving and maintaining the bridge over the river Avon within the said borough, and for selling certain waste lands within the said borough, and for appropriating the monies arising from such sales towards the purposes therein mentioned." Local Act.

The common council are standing commissioners under this act; but there is also a large body of other commissioners taken from the principal inhabitants.

25. The trade of the town is small, but with the exception of a ribbon manufactory in a declining state, was stated to us to be in a prosperous condition. General prospects.

An old privileged company, called the master ironmongers, complained that the corporation, although receiving a small fee on the admission of members, refused to assist them in the assertion of their exclusive privilege. The fees, however do not exceed 19*s.* in a year; they are paid pursuant to the ancient constitution of the company; and the corporation having ceased to exact fines from non-freemen for trading in the borough, can scarcely be called on to enforce exclusive privileges which would be mischievous if they were not obsolete.

Gloucester, Sept. 22, 1833. PEREGRINE BINGHAM.
DAVID JARDINE.

XVII.—BYE-LAWS, MADE BY THE COUNCIL OF THE BOROUGH OF EVESHAM, *on the 7th day of February* 1839, *under and by virtue of an Act made and passed in the fifth and sixth years of the reign of His late Majesty King William the Fourth, chapter* 76; *allowed by Her Majesty in Privy Council,* 26*th March,* 1839.

I.—IT is hereby ordained and enacted that every person duly qualified, who shall be elected to the office of mayor, alderman, councillor, auditor or assessor, and who shall not within five clear days next after notice from the town clerk of such his election accept such office and file within such five days with the town clerk the declaration required by the above-mentioned act, shall in the case of a mayor pay a fine of fifty pounds, in the case of an alderman twenty-five pounds, in the case of a councillor twenty pounds, and in the case of an auditor or assessor fifteen pounds. Officers elected.

II.—And it is hereby further ordained and enacted that any member of the council not attending any quarterly meeting of the council, or any adjournment thereof, or any special meeting, or any adjournment thereof, within the first half-hour of assembling, after three clear days' notice in writing, from the town clerk of any such original meeting, or in case of adjournments, after such notice as the time will allow, shall pay for each default the sum of five shillings, unless in case of illness, to be certified in writing; such certificate to be addressed and delivered to the mayor, at or before any such meeting. Fines.

III.—And it is hereby further ordained and enacted that no person shall usurp the office of serjeant-at-mace or of town crier, or of any other ministerial officer in the nomination, gift, or appointment of the mayor or council of the said borough; nor Serjeants, &c.

shall any person obstruct such officer in the execution of his duties by words, gestures or actions, nor shall any person exercise, or attempt to exercise, any right, privilege, or usual employment of serjeant-at-mace, town crier, or other ministerial officer, who is not duly authorized so to do by the mayor for the time being; nor shall any person, except the town crier for the time being, proclaim any estate or goods for sale, or publish, distribute, or stick up any posting bill, catalogue, advertisement or placard, within the limits of the said borough, without first obtaining an authority or consent, in writing, from the mayor for the time being, so to do; nor shall any person pull down, cover or deface, any posting bill, catalogue, advertisement of sale, or placard, after the same shall have been put up with such authority or consent as aforesaid, except the person be the owner or occupier of the buildings against which the same shall have been affixed, or except the town crier, appointed as aforesaid, after a reasonable time has elapsed for publication thereof.

Defacing walls, &c.

IV.—And it is hereby further ordained and enacted that no person or persons shall write, paint, place or designate any obscene, immoral or offensive word, picture or representation, upon any place, matter or thing, so as to be legible or visible in any of the streets, ways, passages, or places, within the said borough.

Corporate property.

V.—And it is hereby further ordained and enacted that the mayor, serjeants-at-mace, town crier, and such other officers of the body corporate for the time being who are annually appointed, shall, on the ninth day of November in each year, and before the appointment of officers for the year ensuing, surrender and deliver up to the said council, all such goods and paraphernalia, belonging to or concerning the said body corporate, as may have been entrusted to such officers respectively, that the state and condition thereof may be inspected, and the articles delivered over to, or for the use of, the proper officers, when appointed.

Town-clerk.

VI.—And it is hereby further ordained and enacted that the town clerk for the time being, shall prepare a schedule, in writing, of the charters, deeds, muniments and records of the said borough, and of all goods, books and papers, belonging to or concerning the body corporate, which are or shall, at any time hereafter, be in his custody or possession; and shall, on the ninth day of November in every year, or within ten days afterwards, deliver unto the mayor for the time being a copy of such schedule, signed by the said town clerk, and shall deposit another copy thereof, so signed, in the muniment chest, at the town-hall of the said borough, where the said charters, deeds, muniments, records, goods, books and papers, shall be kept; and the mayor for the time being, after allowing the correctness of such schedule, shall testify the same by his signature thereto.

Paving act.

VII.—And it is hereby further ordained and enacted that in order to enforce the due performance and observance of the provisions of the act passed in the fifth year of the reign of his late majesty George the Fourth, for, amongst other purposes, paving, cleansing and lighting the said borough,—each policeman is hereby authorized and required to lay an information before a magistrate or magistrates of the said borough, against every person whom he may find committing any nuisance or offence prohibited by the said act.

Leading horses.

VIII.—And it is hereby further ordained and enacted that no person shall shew, or expose, with a view to hire, any stallion horse, on any market or fair day, by leading or riding him up and down or through any street, lane, or other public passage, within the said borough, excepting in such place or places as the mayor or council of

the said borough for the time being, by writing to be affixed against the town-hall, shall appoint; and also except in leading or riding the said horse into or from the said borough, or once leading or riding him to or from the place, to be appointed, as aforesaid.

Defacing notices.

IX.—And it is hereby further ordained and enacted that no person shall take, tear, pull down, cover, or in any wise obliterate or deface, any notice or official document, exposed for public information, and which shall be posted or affixed by order of the magistrates, or the mayor or council of this borough, on the guild-hall door, or on the place or board on or about the said guild-hall, on which such notices or public information are, is, or shall be posted or affixed, except such person or persons as shall be directed from time to time to take down or displace the same, by the order of the magistrates, mayor, or council, at whose instance they shall have been so posted or affixed.

Penalties.

X.—And it is hereby further ordained and enacted that every person who shall offend against either of the aforesaid bye-laws or regulations, excepting the clauses 1 and 2, upon breach of which penalties have been above provided, shall, for every offence, forfeit and pay a sum not exceeding five pounds.

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